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A LETTER TO

JOHN FARR AND JOHN HARRIS, ESQRS.,

SHERIFFS OF THE CITY OF BRISTOL,

ON THE AFFAIRS OF AMERICA.

1777.

GENTLEMEN,

I HAVE the honour of sending you the two last acts which have been passed with regard to the troubles in America. These acts are similar to all the rest which have been made on the same subject. They operate by the same principle; and they are derived from the very same policy. I think they complete the number of this sort of statutes to nine. It affords no matter for very pleasing reflection to observe that our subjects diminish as our laws increase.

If I have the misfortune of differing with some of my fellow-citizens on this great and arduous subject, it is no small consolation to me that I do not differ from you. With you I am perfectly united. We are heartily agreed in our detestation of a civil war. We have ever expressed the most unqualified disapprobation of all the steps which have led to it, and of all those which tend to prolong it. And I have no doubt that we feel exactly the same emotions of grief and shame in all its miserable consequences; whether they appear, on the one side or the other, in the shape of victories or defeats, of captures made from the English on the continent, or from the English in these islands; of legislative regulations which subvert the liberties of our brethren, or which undermine our own.

Of the first of these statutes (that for the letter of marque) I shall say little. Exceptionable as it may be, and as I think it is in some particulars, it seems the natural, perhaps necessary, result of the measures we have taken, and the situation we are in. The other (for a partial suspension of the *Habeas Corpus*) appears to me of a much deeper malignity. During its progress through the House of Commons, it has been amended, so as to express, more distinctly than at first it did, the avowed sentiments of those who framed it: and the main ground of my exception to it is, because it does express, and does carry into execution, purposes which appear to me so contradictory to all the principles, not only of the constitutional policy of Great Britain, but even of that species of hostile justice, which no asperity of war wholly extinguishes in the minds of a civilized people.

It seems to have in view two capital objects; the first, to enable administration to confine, as long as it shall think proper, those whom that act is pleased to qualify by the name of *pirates*. Those so qualified I understand to be the commanders and mariners of such privateers and ships of war belonging to the colonies, as in the course of this unhappy contest may fall into the hands of the crown. They are therefore to be detained in prison, under the criminal description of piracy, to a future trial and ignominious punishment, whenever circumstances shall make it convenient to execute vengeance on them, under the colour of that odious and infamous offence.

To this first purpose of the law I have no small dislike; because the act does not (as all laws and all equitable transactions ought to do) fairly describe its object. The persons who make a naval war upon us, in consequence of the present troubles, may be rebels; but to call and treat them as pirates, is confounding, not only the natural distinction of things, but the order of crimes: which, whether by putting them from a higher part of the scale to the lower, or from the lower to the higher, is never done without dangerously disordering the whole frame of jurisprudence. Though piracy may be, in the eye of the law, a *less* offence than treason; yet as both are, in effect, punished with the same death, the same forfeiture, and the same corruption of blood, I never would take from any fellow-creature whatever any sort of advantage which he may derive to his safety from the pity

of mankind, or to his reputation from their general feelings, by degrading his offence, when I cannot soften his punishment. The general sense of mankind tells me, that those offences, which may possibly arise from mistaken virtue, are not in the class of infamous actions. Lord Coke, the oracle of the English law, conforms to that general sense where he says, that "those things which are of the highest criminality may be of the least disgrace." The act prepares a sort of masked proceeding, not honourable to the justice of the kingdom, and by no means necessary for its safety. I cannot enter into it. If Lord Balmerino, in the last rebellion, had driven off the cattle of twenty clans, I should have thought it would have been a scandalous and low juggle, utterly unworthy of the manliness of an English judicature, to have tried him for felony as a stealer of cows.

Besides, I must honestly tell you, that I could not vote for, or countenance in any way, a statute, which stigmatizes with the crime of piracy these men, whom an act of parliament had previously put out of the protection of the law. When the legislature of this kingdom had ordered all their ships and goods, for the mere new-created offence of exercising trade, to be divided as a spoil among the seamen of the navy, —to consider the necessary reprisal of an unhappy, proscribed, interdicted people, as the crime of piracy, would have appeared, in any other legislature than ours, a strain of the most insulting and most unnatural cruelty and injustice. I assure you I never remember to have heard of anything like it in any time or country.

The second professed purpose of the act is, to detain in England for trial those who shall commit high treason in America.

That you may be enabled to enter into the true spirit of the present law, it is necessary, gentlemen, to apprize you, that there is an act, made so long ago as in the reign of Henry the Eighth, before the existence or thought of any English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their construction of that act in a formal address, wherein they entreated his Majesty to cause persons, charged with high treason in America, to be brought into this kingdom for trial. By this

act of Henry the Eighth, *so construed and so applied*, almost all that is substantial and beneficial in a trial by jury is taken away from the subject in the colonies. This is however saying too little; for to try a man under that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold; thence he is vomited into a dungeon on land; loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury, can possibly be judged of;—such a person may be executed according to form, but he can never be tried according to justice.

I therefore could never reconcile myself to the bill I send you; which is expressly provided to remove all inconveniences from the establishment of a mode of trial, which has ever appeared to me most unjust and most unconstitutional. Far from removing the difficulties which impede the execution of so mischievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honest, juridical principles and institutions of England are so many clogs to check and retard the headlong course of violence and oppression. They were invented for this one good purpose, that what was not just should not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any deviation dictated by present heat.

I could see no fair, justifiable expedience pleaded to favour this new suspension of the liberty of the subject. If the English in the colonies can support the independency, to which they have been unfortunately driven, I suppose nobody has such a fanatical zeal for the criminal justice of Henry the Eighth, that he will contend for executions which must be retaliated tenfold on his own friends; or who has conceived so strange an idea of English dignity, as to think the defeats in America compensated by the triumphs at Tyburn. If, on the contrary, the colonies are reduced to the obedience of the crown, there must be, under that authority, tribunals in the country itself, fully competent to administer justice on all offenders. But if there are not, and that we must suppose a thing so humiliating to our government, as that all this vast continent should unanimously concur in

thinking, that no ill fortune can convert resistance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will; but the war is not ended; the hostile mind continues in full vigour, and it continues under a worse form. If your peace be nothing more than a sullen pause from arms; if their quiet be nothing but the meditation of revenge, where smitten pride smarting from its wounds festers into new rancour; neither the act of Henry the Eighth, nor its handmaid of this reign, will answer any wise end of policy or justice. For if the bloody fields, which they saw and felt, are not sufficient to subdue the reason of America, (to use the expressive phrase of a great lord in office,) it is not the judicial slaughter, which is made in another hemisphere against their universal sense of justice, that will ever reconcile them to the British government.

I take it for granted, gentlemen, that we sympathize in a proper horror of all punishment further than as it serves for an example. To whom then does the example of an execution in England for this American rebellion apply? Remember, you are told every day, that the present is a contest between the two countries; and that we in England are at war for *our own* dignity against our rebellious children. Is this true? If it be, it is surely among such rebellious children that examples for disobedience should be made, to be in any degree instructive: for whoever thought of teaching parents their duty by an example from the punishment of an undutiful son? As well might the execution of a fugitive negro in the plantations be considered as a lesson to teach masters humanity to their slaves. Such executions may indeed satiate our revenge; they may harden our hearts, and puff us up with pride and arrogance. Alas! this is not instruction!

If anything can be drawn from such examples by a parity of the case, it is to show how deep their crime and how heavy their punishment will be, who shall at any time dare to resist a distant power actually disposing of their property, without their voice or consent to the disposition; and overturning their franchises without charge or hearing. God forbid that England should ever read this lesson written in the blood of *any* of her offspring!

War is at present carried on between the king's natural

and foreign troops on one side, and the English in America on the other, upon the usual footing of other wars; and accordingly an exchange of prisoners has been regularly made from the beginning. If notwithstanding this hitherto equal procedure, upon some prospect of ending the war with success, (which however may be delusive,) administration prepares to act against those as *traitors* who remain in their hands at the end of the troubles, in my opinion we shall exhibit to the world as indecent a piece of injustice as ever civil fury has produced. If the prisoners, who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or understood) is a cruel fraud; for you have received the life of a man, and you ought to return a life for it, or there is no parity of fairness in the transaction.

If, on the other hand, we admit, that they who are actually exchanged are pardoned, but contend that you may justly reserve for vengeance those who remain unexchanged; then this unpleasant and unhandsome consequence will follow; that you judge of the delinquency of men merely by the time of their guilt, and not by the heinousness of it; and you make fortune and accidents, and not the moral qualities of human action, the rule of your justice.

These strange incongruities must ever perplex those who confound the unhappiness of civil dissensions with the crime of treason. Whenever a rebellion really and truly exists, which is as easily known in fact as it is difficult to define in words, government has not entered into such military conventions; but has ever declined all intermediate treaty, which should put rebels in possession of the law of nations with regard to war. Commanders would receive no benefits at their hands, because they could make no return for them. Who has ever heard of capitulation, and parole of honour, and exchange of prisoners, in the late rebellions in this kingdom? The answer to all demands of that sort was, "We can engage for nothing; you are at the king's pleasure." We ought to remember, that if our present enemies be, in reality and truth, rebels, the king's generals have no right to release them upon any conditions whatsoever; and they are themselves answerable to the law, and as much in want of a pardon for doing so, as the rebels whom they release.

Lawyers, I know, cannot make the distinction for which I contend; because they have their strict rule to go by. But legislators ought to do what lawyers cannot; for they have no other rules to bind them, but the great principles of reason and equity, and the general sense of mankind. These they are bound to obey and follow; and rather to enlarge and enlighten law by the liberality of legislative reason, than to fetter and bind their higher capacity by the narrow constructions of subordinate, artificial justice. If we had adverted to this, we never could consider the convulsions of a great empire, not disturbed by a little disseminated faction, but divided by whole communities and provinces, and entire legal representatives of a people, as fit matter of discussion under a commission of Oyer and Terminer. It is as opposite to reason and prudence, as it is to humanity and justice.

This act, proceeding on these principles, that is, preparing to end the present troubles by a trial of one sort of hostility under the name of piracy, and of another by the name of treason, and executing the act of Henry the Eighth according to a new and unconstitutional interpretation, I have thought evil and dangerous, even though the instruments of effecting such purposes had been merely of a neutral quality.

But it really appears to me, that the means which this act employs are, at least, as exceptionable as the end. Permit me to open myself a little upon this subject, because it is of importance to me, when I am obliged to submit to the power without acquiescing in the reason of an act of legislature, that I should justify my dissent by such arguments as may be supposed to have weight with a sober man.

The main operative regulation of the act is to suspend the common law, and the statute *Habeas Corpus*, (the sole securities either for liberty or justice,) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

I confess, gentlemen, that this appears to me as bad in the principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* act; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty, if I understand it at all, is a *general* principle, and the clear

right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery. But, unfortunately, it is the kind of slavery the most easily admitted in times of civil discord; for parties are but too apt to forget their own future safety in their desire of sacrificing their enemies. People without much difficulty admit the entrance of that injustice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger: for no tyranny chastises its own instruments. It is the obnoxious and the suspected who want the protection of law; and there is nothing to bridle the partial violence of state factions, but this; "that whenever an act is made for a cessation of law and justice, the whole people should be universally subjected to the same suspension of their franchises." The alarm of such a proceeding would then be universal. It would operate as a sort of *Call of the nation.* It would become every man's immediate and instant concern to be made very sensible of *the absolute necessity* of this total eclipse of liberty. They would more carefully advert to every renewal, and more powerfully resist it. These great determined measures are not commonly so dangerous to freedom. They are marked with too strong lines to slide into use. No plea, nor pretence, of *inconvenience or evil example* (which must in their nature be daily and ordinary incidents) can be admitted as a reason for such mighty operations. But the true danger is, when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* act supposes, contrary to the genius of most other laws, that the lawful magistrate may see particular men with a malignant eye, and it provides for that identical case. But when men, in particular descriptions, marked out by the magistrate himself, are delivered over by parliament to this possible malignity, it is not the *Habeas Corpus* that is occasionally suspended, but its spirit that is mistaken, and its principle that is subverted. Indeed nothing is security to any individual but the common interest of all.

This act, therefore, has this distinguished evil in it, that it is the first *partial* suspension of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now established. For the first time a dis-

tinction is made among the people within this realm. Before this act, every man putting his foot on English ground, every stranger owing only a local and temporary allegiance, even negro slaves who had been sold in the colonies and under an act of parliament, became as free as every other man who breathed the same air with them. Now a line is drawn, which may be advanced farther and farther at pleasure, on the same argument of mere expedience, on which it was first described. There is no equality among us; we are not fellow-citizens, if the mariner, who lands on the quay, does not rest on as firm legal ground as the merchant who sits in his counting-house. Other laws may injure the community, this dissolves it. As things now stand, every man in the West Indies, every one inhabitant of three unoffending provinces on the continent, every person coming from the East Indies, every gentleman who has travelled for his health or education, every mariner who has navigated the seas, is, for no other offence, under a temporary proscription. Let any of these facts (now become presumptions of guilt) be proved against him, and the bare suspicion of the crown puts him out of the law. It is even by no means clear to me, whether the negative proof does not lie upon the person apprehended on suspicion, to the subversion of all justice.

I have not debated against this bill in its progress through the House; because it would have been vain to oppose, and impossible to correct it. It is some time since I have been clearly convinced, that in the present state of things all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous. You may be sure that I do not speak of my opposition, which in all circumstances must be so; but that of men of the greatest wisdom and authority in the nation. Everything proposed against America is supposed of course to be in favour of Great Britain. Good and ill success are equally admitted as reasons for persevering in the present methods. Several very prudent, and very well-intentioned, persons were of opinion, that during the prevalence of such dispositions, all struggle rather inflamed than lessened the distemper of the public councils. Finding such resistance to be considered as factious by most within-doors, and by very many without, I cannot conscientiously support what is against my opinion,

nor prudently contend with what I know is irresistible. Preserving my principles unshaken, I reserve my activity for rational endeavours; and I hope that my past conduct has given sufficient evidence that if I am a single day from my place, it is not owing to indolence or love of dissipation. The slightest hope of doing good is sufficient to recall me to what I quitted with regret. In declaring for some time my usual strict attendance, I do not in the least condemn the spirit of those gentlemen, who, with a just confidence in their abilities, (in which I claim a sort of share from my love and admiration of them,) were of opinion that their exertions in this desperate case might be of some service. They thought, that by contracting the sphere of its application, they might lessen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was so very clearly to the contrary, for the reasons I have just stated, I am sure *my* attendance would have been ridiculous.

I must add in further explanation of my conduct, that, far from softening the features of such a principle, and thereby removing any part of the popular odium or natural terrors attending it, I should be sorry that anything framed in contradiction to the spirit of our constitution did not instantly produce, in fact, the grossest of the evils with which it was pregnant in its nature. It is by lying dormant a long time, or being at first very rarely exercised, that arbitrary power steals upon a people. On the next unconstitutional act, all the fashionable world will be ready to say—Your prophecies are ridiculous, your fears are vain, you see how little of the mischiefs which you formerly foreboded are come to pass. Thus, by degrees, that artful softening of all arbitrary power, the alleged infrequency or narrow extent of its operation, will be received as a sort of aphorism—and Mr. *Hume* will not be singular in telling us that the felicity of mankind is no more disturbed by it, than by earthquakes or thunder, or the other more unusual accidents of nature.

The act of which I speak is among the fruits of the American war; a war in my humble opinion productive of many mischiefs, of a kind which distinguish it from all others. Not only our policy is deranged, and our empire distracted, but our laws and our legislative spirit appear to have been totally perverted by it. We have made war on our colonies, not by

arms only, but by laws. As hostility and law are not very concordant ideas, every step we have taken in this business has been made by trampling on some maxim of justice, or some capital principle of wise government. What precedents were established, and what principles overturned, (I will not say of English privilege, but of general justice,) in the Boston Port, the Massachusetts Charter, the Military Bill, and all that long array of hostile acts of parliament, by which the war with America has been begun and supported! Had the principles of any of these acts been first exerted on English ground, they would probably have expired as soon as they touched it. But by being removed from our persons, they have rooted in our laws, and the latest posterity will taste the fruits of them.

Nor is it the worst effect of this unnatural contention, that our *laws* are corrupted. Whilst *manners* remain entire, they will correct the vices of law, and soften it at length to their own temper. But we have to lament, that in most of the late proceedings we see very few traces of that generosity, humanity, and dignity of mind, which formerly characterized this nation. War suspends the rules of moral obligation, and what is long suspended is in danger of being totally abrogated. Civil wars strike deepest of all into the manners of the people. They vitiate their politics; they corrupt their morals; they pervert even the natural taste and relish of equity and justice. By teaching us to consider our fellow-citizens in a hostile light, the whole body of our nation becomes gradually less dear to us. The very names of affection and kindred, which were the bond of charity whilst we agreed, become new incentives to hatred and rage, when the communion of our country is dissolved. We may flatter ourselves that we shall not fall into this misfortune. But we have no charter of exemption, that I know of, from the ordinary frailties of our nature.

What but that blindness of heart which arises from the phrensy of civil contention, could have made any persons conceive the present situation of the British affairs as an object of triumph to themselves, or of congratulation to their sovereign? Nothing surely could be more lamentable to those who remember the flourishing days of this kingdom, than to see the insane joy of several unhappy people, amidst

the sad spectacle which our affairs and conduct exhibit to the scorn of Europe. We behold (and it seems some people rejoice in beholding) our native land, which used to sit the envied arbiter of all her neighbours, reduced to a servile dependence on their mercy; acquiescing in assurances of friendship which she does not trust; complaining of hostilities which she dares not resent; deficient to her allies; lofty to her subjects, and submissive to her enemies; whilst the liberal government of this free nation is supported by the hireling sword of German boors and vassals; and three millions of the subjects of Great Britain are seeking for protection to English privileges in the arms of France!

These circumstances appear to me more like shocking prodigies, than natural changes in human affairs. Men of firmer minds may see them without staggering or astonishment.—Some may think them matters of congratulation and complimentary addresses; but I trust your candour will be so indulgent to my weakness, as not to have the worse opinion of me for my declining to participate in this joy, and my rejecting all share whatsoever in such a triumph. I am too old, too stiff in my inveterate partialities, to be ready at all the fashionable evolutions of opinion. I scarcely know how to adapt my mind to the feelings with which the court gazettes mean to impress the people. It is not instantly that I can be brought to rejoice, when I hear of the slaughter and captivity of long lists of those names which have been familiar to my ears from my infancy, and to rejoice that they have fallen under the sword of strangers, whose barbarous appellations I scarcely know how to pronounce. The glory acquired at the White Plains by Colonel Raille has no charms for me; and I fairly acknowledge, that I have not yet learned to delight in finding Fort Kniphausen in the heart of the British dominions.

It might be some consolation for the loss of our old regards, if our reason were enlightened in proportion as our honest prejudices are removed. Wanting feelings for the honour of our country, we might then in cold blood be brought to think a little of our interests as individual citizens, and our private conscience as moral agents.

Indeed our affairs are in a bad condition. I do assure those gentlemen who have prayed for war, and have obtained

the blessing they have sought, that they are at this instant in very great straits. The abused wealth of this country continues a little longer to feel its distemper. As yet they, and their German allies of twenty hireling states, have contended only with the unprepared strength of our own infant colonies. But America is not subdued. Not one unattacked village which was originally adverse throughout that vast continent, has yet submitted from love or terror. You have the ground you encamp on; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread devastation, but you do not enlarge the sphere of authority.

The events of this war are of so much greater magnitude than those who either wished or feared it ever looked for, that this alone ought to fill every considerate mind with anxiety and diffidence. Wise men often tremble at the very things which fill the thoughtless with security. For many reasons I do not choose to expose to public view all the particulars of the state in which you stood with regard to foreign powers, during the whole course of the last year. Whether you are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But even if I were certain of my safety, I could not easily forgive those who had brought me into the most dreadful perils, because by accidents, unforeseen by them or me, I have escaped.

Believe me, gentlemen, the way still before you is intricate, dark, and full of perplexed and treacherous mazes. Those who think they have the clue may lead us out of this labyrinth. We may trust them as amply as we think proper; but as they have most certainly a call for all the reason which their stock can furnish, why should we think it proper to disturb its operation by inflaming their passions? I may be unable to lend an helping hand to those who direct the state; but I should be ashamed to make myself one of a noisy multitude to halloo and hearten them into doubtful and dangerous courses. A conscientious man would be cautious how he dealt in blood. He would feel some apprehension at being called to a tremendous account for engaging in so deep a play, without any sort of knowledge of the game. It is no excuse for presumptuous ignorance, that it is directed by insolent passion. The poorest being that

crawls on earth, contending to save itself from injustice and oppression, is an object respectable in the eyes of God and man. But I cannot conceive any existence under heaven, (which, in the depths of its wisdom, tolerates all sorts of things,) that is more truly odious and disgusting, than an impotent, helpless creature, without civil wisdom or military skill, without a consciousness of any other qualification for power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exercise, and satisfied to be himself mean and miserable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct, at least, is conformable to our faculties. No man's life pays the forfeit of our rashness. No desolate widow weeps tears of blood over our ignorance. Scrupulous and sober in our well-grounded distrust of ourselves, we would keep in the port of peace and security; and perhaps in recommending to others something of the same diffidence, we should show ourselves more charitable in their welfare, than injurious to their abilities.

There are many circumstances in the zeal shown for civil war, which seem to discover but little of real magnanimity. The addressers offer their own persons, and they are satisfied with hiring Germans. They promise their private fortunes, and they mortgage their country. They have all the merit of volunteers, without risk of person or charge of contribution; and when the unfeeling arm of a foreign soldiery pours out their kindred blood like water, they exult and triumph as if they themselves had performed some notable exploit. I am really ashamed of the fashionable language which has been held for some time past; which, to say the best of it, is full of levity. You know that I allude to the general cry against the cowardice of the Americans, as if we despised them for not making the king's soldiery purchase the advantage they have obtained at a dearer rate. It is not, gentlemen, it is not to respect the dispensations of Providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between insolent victory and infamous defeat. It tends to alienate our minds farther and farther from our natural regards, and to make an eternal rent and

schism in the British nation. Those who do not wish for such a separation, would not dissolve that cement of reciprocal esteem and regard, which can alone bind together the parts of this great fabric. It ought to be our wish, as it is our duty, not only to forbear this style of outrage ourselves, but to make every one as sensible as we can of the impropriety and unworthiness of the tempers which give rise to it, and which designing men are labouring with such malignant industry to diffuse amongst us. It is our business to counteract them, if possible; if possible, to awake our natural regards; and to revive the old partiality to the English name. Without something of this kind I do not see how it is ever practicable really to reconcile with those, whose affection, after all, must be the surest hold of our government; and which is a thousand times more worth to us, than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miserably wasted, without approaching in the least to settlement. In my apprehension, as long as English government is attempted to be supported over Englishmen by the sword alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. When that hour arrives, (for it may arrive,) then it is, that all this mass of weakness and violence will appear in its full light. If we should be expelled from America, the delusion of the partisans of military government might still continue. They might still feed their imaginations with the possible good consequences which might have attended success. Nobody could prove the contrary by facts. But in case the sword should do all that the sword can do, the success of their arms and the defeat of their policy will be one and the same thing. You will never see any revenue from America. Some increase of the means of corruption, without ease of the public burthens, is the very best that can happen. Is it for this that we are at war; and in such a war?

As to the difficulties of laying once more the foundations of that government, which, for the sake of conquering what was our own, has been voluntarily and wantonly pulled down by a court faction here, I tremble to look at them. Has any of these gentlemen, who are so eager to govern all mankind, showed himself possessed of the first qualification to-

wards government, some knowledge of the object, and of the difficulties which occur in the task they have undertaken?

I assure you, that, on the most prosperous issue of your arms, you will not be where you stood, when you called in war to supply the defects of your political establishment. Nor would any disorder or disobedience to government which could arise from the most abject concession on our part, ever equal those which will be felt, after the most triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America. If I do not, my ignorance is incurable, for I have spared no pains to understand it: and I do most solemnly assure those of my constituents who put any sort of confidence in my industry and integrity, that every thing that has been done there has arisen from a total misconception of the object; that our means of originally holding America, that our means of reconciling with it after quarrel, of recovering it after separation, of keeping it after victory, did depend, and must depend in their several stages and periods, upon a total renunciation of that unconditional submission, which has taken such possession of the minds of violent men. The whole of those maxims, upon which we have made and continued this war, must be abandoned. Nothing indeed (for I would not deceive you) can place us in our former situation. That hope must be laid aside. But there is a difference between bad and the worst of all. Terms relative to the cause of the war ought to be offered by the authority of parliament. An arrangement at home promising some security for them ought to be made. By doing this, without the least impairing of our strength, we add to the credit of our moderation, which, in itself, is always strength more or less.

I know many have been taught to think, that moderation, in a case like this, is a sort of treason; and that all arguments for it are sufficiently answered by railing at rebels and rebellion, and by charging all the present or future miseries, which we may suffer, on the resistance of our brethren. But I would wish them, in this grave matter, and if peace is not wholly removed from their hearts, to consider seriously, first, that to criminate and recriminate never yet was the road to reconciliation, in any difference amongst men. In the next place,

it would be right to reflect, that the American English (whom they may abuse, if they think it honourable to revile the absent) can, as things now stand, neither be provoked at our railing, nor bettered by our instruction. All communication is cut off between us, but this we know with certainty, that, though we cannot reclaim them, we may reform ourselves. If measures of peace are necessary, they must begin somewhere; and a conciliatory temper must precede and prepare every plan of reconciliation. Nor do I conceive that we suffer anything by thus regulating our own minds. We are not disarmed by being disencumbered of our passions. Declaiming on rebellion never added a bayonet, or a charge of powder, to your military force; but I am afraid that it has been the means of taking up many muskets against you.

This outrageous language, which has been encouraged and kept alive by every art, has already done incredible mischief. For a long time, even amidst the desolations of war, and the insults of hostile laws daily accumulated on one another, the American leaders seem to have had the greatest difficulty in bringing up their people to a declaration of total independence. But the court gazette accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced as a proof of the united sentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had still set towards the parent country, begun immediately to turn, and to flow with great rapidity in a contrary course. Far from concealing these wild declarations of enmity, the author of the celebrated pamphlet, which prepared the minds of the people for independence, insists largely on the multitude and the spirit of these addresses; and he draws an argument from them, which (if the fact was as he supposes) must be irresistible. For I never knew a writer on the theory of government so partial to authority as not to allow, that the hostile mind of the rulers to their people did fully justify a change of government; nor can any reason whatever be given, why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevolence towards them. Unfortunately your rulers, trusting to other things, took no notice of

this great principle of connexion. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they seemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is said, that your kindness is only alienated on account of their resistance; and therefore if the colonies surrender at discretion, all sort of regard, and even much indulgence, is meant towards them in future. But can those who are partisans for continuing a war to enforce such a surrender be responsible (after all that has passed) for such a future use of a power, that is bound by no compacts, and restrained by no terror? Will they tell us what they call indulgences? Do they not at this instant call the present war, and all its horrors, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *professed* to make a cruel, harsh, and insolent use of his conquest. No! The man of the most declared pride scarcely dares to trust his own heart with this dreadful secret of ambition. But it will appear in its time; and no man, who professes to reduce another to the insolent mercy of a foreign arm, ever had any sort of good-will towards him. The profession of kindness, with that sword in his hand, and that demand of surrender, is one of the most provoking acts of his hostility. I shall be told, that all this is lenient as against rebellious adversaries. But are the leaders of their faction more lenient to those who submit? Lord Howe and General Howe have powers, under an act of parliament, to restore to the king's peace and to free trade any men, or district, which shall submit. Is this done? We have been over and over informed by the authorized gazette, that the city of New York, and the countries of Staten and Long Island, have submitted voluntarily and cheerfully, and that many are very full of zeal to the cause of administration. Were they instantly restored to trade? Are they yet restored to it? Is not the benignity of two commissioners, naturally most humane and generous men, some way fettered by instructions, equally against their dispositions and spirit of parliamentary faith; when Mr. Tryon, vaunting of the fidelity of the city in which he is governor, is obliged to apply to ministry for leave to protect

the king's loyal subjects, and to grant to them (not the disputed rights and privileges of freedom) but the common rights of men, by the name of *graces?* Why do not the commissioners restore them on the spot? Were they not named as commissioners for that express purpose? But we see well enough to what the whole leads. The trade of America is to be dealt out in *private indulgences and graces;* that is, in jobs to recompense the incendiaries of war. They will be informed of the proper time in which to send out their merchandise. From a national, the American trade is to be turned into a personal monopoly: and one set of merchants are to be rewarded for the pretended zeal, of which another set are the dupes; and thus, between craft and credulity, the voice of reason is stifled; and all the misconduct, all the calamities of the war are covered and continued.

If I had not lived long enough to be little surprised at anything, I should have been in some degree astonished at the continued rage of several gentlemen, who, not satisfied with carrying fire and sword into America, are animated nearly with the same fury against those neighbours of theirs, whose only crime it is, that they have charitably and humanely wished them to entertain more reasonable sentiments, and not always to sacrifice their interest to their passion. All this rage against unresisting dissent convinces me, that, at bottom, they are far from satisfied they are in the right. For what is it they would have? A war? They certainly have at this moment the blessing of something that is very like one; and if the war they enjoy at present be not sufficiently hot and extensive, they may shortly have it as warm and as spreading as their hearts can desire. Is it the force of the kingdom they call for? They have it already; and if they choose to fight their battles in their own person, nobody prevents their setting sail to America in the next transports. Do they think, that the service is stinted for want of liberal supplies? Indeed they complain without reason. The table of the House of Commons will glut them, let their appetite for expense be never so keen. And I assure them further, that those who think with them in the House of Commons are full as easy in the control, as they are liberal in the vote, of these expenses. If this be not supply or confidence sufficient, let them open their own private purse-strings, and

give, from what is left to them, as largely and with as little care as they think proper.

Tolerated in their passions, let them learn not to persecute the moderation of their fellow-citizens. If all the world joined them in a full cry against rebellion, and were as hotly inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not in my opinion answer any one end whatsoever in this contest. The leaders of this war could not hire (to gratify their friends) one German more than they do; or inspire him with less feeling for the persons, or less value for the privileges, of their revolted brethren. If we all adopted their sentiments to a man, their allies, the savage Indians, could not be more ferocious than they are: they could not murder one more helpless woman or child, or with more exquisite refinements of cruelty torment to death one more of their English flesh and blood, than they do already. The public money is given to purchase this alliance;—and they have their bargain.

They are continually boasting of unanimity; or calling for it. But before this unanimity can be matter either of wish or congratulation, we ought to be pretty sure that we are engaged in a rational pursuit. Phrensy does not become a slighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce not one mischief the less, because they are universal. I declare, that I cannot discern the least advantage which could accrue to us, if we were able to persuade our colonies that they had not a single friend in Great Britain. On the contrary, if the affections and opinions of mankind be not exploded as principles of connexion, I conceive it would be happy for us if they were taught to believe, that there was even a formed American party in England, to whom they could always look for support! Happy would it be for us, if, in all tempers, they might turn their eyes to the parent state; so that their very turbulence and sedition should find vent in no other place than this. I believe there is not a man (except those who prefer the interest of some paltry faction to the very being of their country) who would not wish that the Americans should from time to time carry many points, and even some of them not quite reasonable,

by the aid of any denomination of men here, rather than they should be driven to seek for protection against the fury of foreign mercenaries, and the waste of savages, in the arms of France.

When any community is subordinately connected with another, the great danger of the connexion is the extreme pride and self-complacency of the superior, which in all matters of controversy will probably decide in its own favour. It is a powerful corrective to such a very rational cause of fear, if the inferior body can be made to believe, that the party inclination, or political views, of several in the principal state, will induce them in some degree to counteract this blind and tyrannical partiality. There is no danger that any one acquiring consideration or power in the presiding state should carry this learning to the inferior too far. The fault of human nature is not of that sort. Power, in whatever hands, is rarely guilty of too strict limitations on itself. But one great advantage to the support of authority attends such an amicable and protecting connexion, that those who have conferred favours obtain influence; and from the foresight of future events can persuade men, who have received obligations, sometimes to return them. Thus by the mediation of those healing principles, (call them good or evil,) troublesome discussions are brought to some sort of adjustment; and every hot controversy is not a civil war.

But, if the colonies (to bring the general matter home to us) could see, that, in Great Britain, the mass of the people is melted into its government, and that every dispute with the ministry must of necessity be always a quarrel with the nation; they can stand no longer in the equal and friendly relation of fellow-citizens to the subjects of this kingdom. Humble as this relation may appear to some, when it is once broken, a strong tie is dissolved. Other sort of connexions will be sought. For, there are very few in the world, who will not prefer a useful ally to an insolent master.

Such discord has been the effect of the unanimity into which so many have of late been seduced or bullied, or into the appearance of which they have sunk through mere despair. They have been told that their dissent from violent measures is an encouragement to rebellion. Men of great presumption and little knowledge will hold a language which is contradicted by the whole course of history. *General* rebellions

and revolts of a whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an assurance of the friendship of numbers in this country towards the colonies could become an encouragement to them to break off all connexion with it, what is the inference? Does anybody seriously maintain, that, charged with my share of the public councils, I am obliged not to resist projects which I think mischievous, lest men who suffer should be encouraged to resist? The very tendency of such projects to produce rebellion is one of the chief reasons against them. Shall that reason not be given? Is it then a rule, that no man in this nation shall open his mouth in favour of the colonies, shall defend their rights, or complain of their sufferings? Or when war finally breaks out, no man shall express his desires of peace? Has this been the law of our past, or is it to be the terms of our future connexion? Even looking no farther than ourselves, can it be true loyalty to any government, or true patriotism towards any country, to degrade their solemn councils into servile drawing-rooms, to flatter their pride and passions, rather than to enlighten their reason, and to prevent them from being cautioned against violence lest others should be encouraged to resistance? By such acquiescence great kings and mighty nations have been undone; and if any are at this day in a perilous situation from resisting truth, and listening to flattery, it would rather become them to reform the errors under which they suffer, than to reproach those who forewarned them of their danger.

But the rebels looked for assistance from this country. They did so, in the beginning of this controversy, most certainly; and they sought it by earnest supplications to government, which dignity rejected, and by a suspension of commerce, which the wealth of this nation enabled you to despise. When they found that neither prayers nor menaces had any sort of weight, but that a firm resolution was taken to reduce them to unconditional obedience by a military force, they came to the last extremity. Despairing of us, they trusted in themselves. Not strong enough themselves, they sought succour in France. In proportion as all encouragement here lessened, their distance from this country

increased. The encouragement is over; the alienation is complete.

In order to produce this favourite unanimity in delusion, and to prevent all possibility of a return to our ancient happy concord, arguments for our continuance in this course are drawn from the wretched situation itself into which we have been betrayed. It is said, that being at war with the colonies, whatever our sentiments might have been before, all ties between us are now dissolved; and all the policy we have left is to strengthen the hands of government to reduce them. On the principle of this argument, the more mischiefs we suffer from any administration, the more our trust in it is to be confirmed. Let them but once get us into a war, and then their power is safe, and an act of oblivion passed for all their misconduct.

But is it really true, that government is always to be strengthened with the instruments of war, but never furnished with the means of peace? In former times, ministers, I allow, have been sometimes driven by the popular voice to assert by arms the national honour against foreign powers. But the wisdom of the nation has been far more clear, when those ministers have been compelled to consult its interests by treaty. We all know that the sense of the nation obliged the court of King Charles the Second to abandon the *Dutch war;* a war next to the present the most impolitic which we ever carried on. The good people of England considered Holland as a sort of dependency on this kingdom; they dreaded to drive it to the protection, or subject it to the power of France, by their own inconsiderate hostility. They paid but little respect to the court jargon of that day; nor were they inflamed by the pretended rivalship of the Dutch in trade; by their massacre at Amboyna, acted on the stage to provoke the public vengeance; nor by declamations against the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant state. They were not moved from their evident interest by all these arts; nor was it enough to tell them, they were at war; that they must go through with it; and that the cause of the dispute was lost in the consequences. The people of England were then, as they are now, called upon to make government

strong. They thought it a great deal better to make it wise and honest.

When I was amongst my constituents at the last summer assizes, I remember that men of all descriptions did then express a very strong desire for peace, and no slight hopes of attaining it from the commission sent out by my Lord Howe. And it is not a little remarkable, that, in proportion as every person showed a zeal for the court measures, he was then earnest in circulating an opinion of the extent of the supposed powers of that commission. When I told them that Lord Howe had no powers to treat, or to promise satisfaction on any point whatsoever of the controversy, I was hardly credited; so strong and general was the desire of terminating this war by the method of accommodation. As far as I could discover, this was the temper then prevalent through the kingdom. The king's forces, it must be observed, had at that time been obliged to evacuate Boston. The superiority of the former campaign rested wholly with the colonists. If such powers of treaty were to be wished, whilst success was very doubtful, how came they to be less so, since his Majesty's arms have been crowned with many considerable advantages? Have these successes induced us to alter our mind; as thinking the season of victory not the time for treating with honour or advantage? Whatever changes have happened in the national character, it can scarcely be our wish, that terms of accommodation never should be proposed to our enemy, except when they must be attributed solely to our fears. It has happened, let me say unfortunately, that we read of his Majesty's commission for making peace, and his troops evacuating his last town in the thirteen colonies, at the same hour and in the same gazette. It was still more unfortunate, that no commission went to America to settle the troubles there, until several months after an act had been passed to put the colonies out of the protection of this government, and to divide their trading property, without a possibility of restitution, as spoil among the seamen of the navy. The most abject submission on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thousand miles of it, qualified by law to follow allegiance with protection, or submission with

pardon. A proceeding of this kind has no example in history. Independency, and independency with an enmity, (which putting ourselves out of the question, would be called natural and much provoked,) was the inevitable consequence. How this came to pass, the nation may be one day in an humour to inquire.

All the attempts made this session to give fuller powers of peace to the commanders in America, were stifled by the fatal confidence of victory, and the wild hopes of unconditional submission. There was a moment favourable to the king's arms, when if any powers of concession had existed on the other side of the Atlantic, even after all our errors, peace in all probability might have been restored. But calamity is unhappily the usual season of reflection; and the pride of men will not often suffer reason to have any scope until it can be no longer of service.

I have always wished, that as the dispute had its apparent origin from things done in parliament, and as the acts passed there had provoked the war, that the foundations of peace should be laid in parliament also. I have been astonished to find, that those, whose zeal for the dignity of our body was so hot as to light up the flames of civil war, should even publicly declare, that these delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I shall never admit that our constitutional rights can ever become a matter of ministerial negotiation.

I am charged with being an American. If warm affection towards those over whom I claim any share of authority be a crime, I am guilty of this charge. But I do assure you, (and they who know me publicly and privately will bear witness to me,) that if ever one man lived more zealous than another for the supremacy of parliament, and the rights of this imperial crown, it was myself. Many others indeed might be more knowing in the extent of the foundation of these rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of professor in metaphysics. I never ventured to put your solid interests upon speculative grounds. My having constantly declined to do so has been attributed to my incapacity for such disquisitions; and I am inclined to believe it is partly the cause. I never shall be ashamed to

confess, that where I am ignorant I am diffident. I am indeed not very solicitous to clear myself of this imputed incapacity; because men, even less conversant than I am in this kind of subtleties, and placed in stations to which I ought not to aspire, have, by the mere force of civil discretion, often conducted the affairs of great nations with distinguished felicity and glory.

When I first came into a public trust, I found your parliament in possession of an unlimited legislative power over the colonies. I could not open the statute book without seeing the actual exercise of it, more or less, in all cases whatsoever. This possession passed with me for a title. It does so in all human affairs. No man examines into the defects of his title to his paternal estate, or to his established government. Indeed common sense taught me, that a legislative authority, not actually limited by the express terms of its foundation, or by its own subsequent acts, cannot have its powers parcelled out by argumentative distinctions, so as to enable us to say, that here they can, and there they cannot, bind. Nobody was so obliging as to produce to me any record of such distinctions, by compact or otherwise, either at the successive formation of the several colonies, or during the existence of any of them. If any gentlemen were able to see how one power could be given up (merely on abstract reasoning) without giving up the rest, I can only say, that they saw farther than I could; nor did I ever presume to condemn any one for being clear-sighted, when I was blind. I praise the penetration and learning; and hope that their practice has been correspondent to their theory.

I had indeed very earnest wishes to keep the whole body of this authority perfect and entire as I found it: and to keep it so, not for our advantage solely; but principally for the sake of those, on whose account all just authority exists; I mean the people to be governed. For I thought I saw, that many cases might well happen, in which the exercise of every power comprehended in the broadest idea of legislature, might become, in its time and circumstances, not a little expedient for the peace and union of the colonies amongst themselves, as well as for their perfect harmony with Great Britain. Thinking so, (perhaps erroneously,) but being honestly of that opinion, I was at the same time very sure,

that the authority, of which I was so jealous, could not under the actual circumstances of our plantations be at all preserved in any of its members, but by the greatest reserve in its application; particularly in those delicate points, in which the feelings of mankind are the most irritable. They who thought otherwise, have found a few more difficulties in their work than (I hope) they were thoroughly aware of, when they undertook the present business. I must beg leave to observe, that it is not only the invidious branch of taxation that will be resisted, but that no other given part of legislative rights can be exercised, without regard to the general opinion of those who are to be governed. That general opinion is the vehicle and organ of legislative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeness of the legislative authority of parliament *over this kingdom* is not questioned; and yet many things indubitably included in the abstract idea of that power, and which carry no absolute injustice in themselves, yet being contrary to the opinions and feelings of the people, can as little be exercised, as if parliament in that case had been possessed of no right at all. I see no abstract reason, which can be given, why the same power, which made and repealed the high-commission court and the star-chamber, might not revive them again; and these courts, warned by their former fate, might possibly exercise their powers with some degree of justice. But the madness would be as unquestionable, as the competence of that parliament which should attempt such things. If anything can be supposed out of the power of human legislature, it is religion: I admit, however, that the established religion of this country has been three or four times altered by act of parliament; and therefore that a statute binds even in that case. But we may very safely affirm, that, notwithstanding this apparent omnipotence, it would be now found as impossible for king and parliament to alter the established religion of this country, as it was to King James alone, when he attempted to make such an alteration without a parliament. In effect, to follow, not to force the public inclination; to give a direction, a form, a technical dress, and a specific sanction, to the general sense of the community, is the true end of legislature.

It is so with regard to the exercise of all the powers which our constitution knows in any of its parts, and indeed to the substantial existence of any of the parts themselves. The king's negative to bills is one of the most indisputed of the royal prerogatives; and it extends to all cases whatsoever. I am far from certain, that if several laws which I know had fallen under the stroke of that sceptre, that the public would have had a very heavy loss. But it is not the *propriety* of the exercise which is in question. The exercise itself is wisely forborne. Its repose may be the preservation of its existence; and its existence may be the means of saving the constitution itself, on an occasion worthy of bringing it forth. As the disputants, whose accurate and logical reasonings have brought us into our present condition, think it absurd, that powers or members of any constitution should exist, rarely or never to be exercised, I hope I shall be excused in mentioning another instance, that is material. We know, that the convocation of the clergy had formerly been called, and sat with nearly as much regularity to business as parliament itself. It is now called for form only. It sits for the purpose of making some polite ecclesiastical compliments to the king; and, when that grace is said, retires and is heard of no more. It is however *a part of the constitution*, and may be called out into act and energy, whenever there is occasion; and whenever those, who conjure up that spirit, will choose to abide the consequences. It is wise to permit its legal existence; it is much wiser to continue it a legal existence only. So truly has prudence (constituted as the god of this lower world) the entire dominion over every exercise of power committed into its hands; and yet I have lived to see prudence and conformity to circumstances wholly set at nought in our late controversies, and treated as if they were the most contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order to keep power in wind, it was necessary, by preference, to exert it in those very points in which it was most likely to be resisted, and the least likely to be productive of any advantage.

These were the considerations, gentlemen, which led me early to think, that, in the comprehensive dominion which the Divine Providence had put into our hands, instead of troubling our understandings with speculations concerning

the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our government to the character and circumstances of the several people who composed this mighty and strangely diversified mass. I never was wild enough to conceive, that one method would serve for the whole; that the natives of Hindostan and those of Virginia could be ordered in the same manner; or that the Cutchery court and the grand jury of Salem could be regulated on a similar plan. I was persuaded that government was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians. Our business was to rule, not to wrangle; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire.

If there be one fact in the world perfectly clear it is this: "That the disposition of the people of America is wholly averse to any other than a free government;" and this is indication enough to any honest statesman, how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer, that, for any practical purpose, it is what the people think so; and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavour to prove from thence, that they have reasoned amiss, and that having gone so far, by analogy, they must hereafter have no enjoyment but by my pleasure.

If we had seen this done by any others, we should have concluded them far gone in madness. It is melancholy as well as ridiculous, to observe the kind of reasoning with which the public has been amused, in order to divert our minds from the common sense of our American policy. There are people, who have split and anatomised the doctrine of free government, as if it were an abstract question concerning metaphysical liberty and necessity; and not a matter of moral prudence and natural feeling. They have disputed, whether liberty be a positive or a negative idea; whether it

does not consist in being governed by laws, without considering what are the laws, or who are the makers; whether man has any rights by nature; and whether all the property he enjoys be not the alms of his government, and his life itself their favour and indulgence. Others, corrupting religion, as these have perverted philosophy, contend, that Christians are redeemed into captivity; and the blood of the Saviour of mankind has been shed to make them the slaves of a few proud and insolent sinners. These shocking extremes provoking to extremes of another kind, speculations are let loose as destructive to all authority, as the former are to all freedom; and every government is called tyranny and usurpation which is not formed on their fancies. In this manner the stirrers-up of this contention, not satisfied with distracting our dependencies and filling them with blood and slaughter, are corrupting our understandings: they are endeavouring to tear up, along with practical liberty, all the foundations of human society, all equity and justice, religion and order.

Civil freedom, gentlemen, is not, as many have endeavoured to persuade you, a thing that lies hid in the depth of abstruse science. It is a blessing and a benefit, not an abstract speculation; and all the just reasoning that can be upon it is of so coarse a texture, as perfectly to suit the ordinary capacities of those who are to enjoy, and of those who are to defend it. Far from any resemblance to those propositions in geometry and metaphysics, which admit no medium, but must be true or false in all their latitude; social and civil freedom, like all other things in common life, are variously mixed and modified, enjoyed in very different degrees, and shaped into an infinite diversity of forms, according to the temper and circumstances of every community. The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains nowhere, nor ought to obtain anywhere. Because extremes, as we all know, in every point which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment. Liberty too must be limited in order to be possessed. The degree of restraint it is impossible in any case to settle precisely. But it ought to be the constant aim of every wise public council, to find out by cautious experiments, and rational,

cool endeavours, with how little, not how much, of this restraint, the community can subsist. For liberty is a good to be improved, and not an evil to be lessened. It is not only a private blessing of the first order, but the vital spring and energy of the state itself, which has just so much life and vigour as there is liberty in it. But whether liberty be advantageous or not, (for I know it is a fashion to decry the very principle,) none will dispute that peace is a blessing; and peace must in the course of human affairs be frequently bought by some indulgence and toleration at least to liberty. For as the sabbath (though of Divine institution) was made for man, not man for the sabbath, government, which can claim no higher origin or authority, in its exercise at least, ought to conform to the exigences of the time, and the temper and character of the people, with whom it is concerned; and not always to attempt violently to bend the people to their theories of subjection. The bulk of mankind on their part are not excessively curious concerning any theories, whilst they are really happy; and one sure symptom of an ill-conducted state is the propensity of the people to resort to them.

But when subjects, by a long course of such ill conduct, are once thoroughly inflamed, and the state itself violently distempered, the people must have some satisfaction to their feelings more solid than a sophistical speculation on law and government. Such was our situation; and such a satisfaction was necessary to prevent recourse to arms; it was necessary towards laying them down; it will be necessary to prevent the taking them up again and again. Of what nature this satisfaction ought to be, I wish it had been the disposition of parliament seriously to consider. It was certainly a deliberation that called for the exertion of all their wisdom.

I am, and ever have been, deeply sensible of the difficulty of reconciling the strong presiding power, that is so useful towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the provinces, which they must enjoy, (in opinion and practice at least,) or they will not be provinces at all. I know, and have long felt, the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a

long course of prosperity and victory, to the high spirit of free dependencies, animated with the first glow and activity of juvenile heat, and assuming to themselves, as their birthright, some part of that very pride which oppresses them. They who perceive no difficulty in reconciling these tempers, (which however to make peace must some way or other be reconciled,) are much above my capacity, or much below the magnitude of the business. Of one thing I am perfectly clear, that it is not by deciding the suit, but by compromising the difference, that peace can be restored or kept. They who would put an end to such quarrels, by declaring roundly in favour of the whole demands of either party, have mistaken, in my humble opinion, the office of a mediator.

The war is now of full two years' standing; the controversy, of many more. In different periods of the dispute, different methods of reconciliation were to be pursued. I mean to trouble you with a short state of things at the most important of these periods, in order to give you a more distinct idea of our policy with regard to this most delicate of all objects. The colonies were from the beginning subject to the legislature of Great Britain, on principles which they never examined; and we permitted to them many local privileges, without asking how they agreed with that legislative authority. Modes of administration were formed in an insensible and very unsystematic manner. But they gradually adapted themselves to the varying condition of things.—What was first a single kingdom, stretched into an empire; and an imperial superintendency, of some kind or other, became necessary. Parliament, from a mere representative of the people, and a guardian of popular privileges for its own immediate constituents, grew into a mighty sovereign. Instead of being a control on the crown on its own behalf, it communicated a sort of strength to the royal authority; which was wanted for the conservation of a new object, but which could not be safely trusted to the crown alone. On the other hand, the colonies, advancing by equal steps, and governed by the same necessity, had formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority.

At the first designation of these assemblies, they were probably not intended for anything more, (nor perhaps did they think themselves much higher,) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe; it was natural that they should attribute to assemblies, so respectable in their formal constitution, some part of the dignity of the great nations which they represented. No longer tied to by-laws, these assemblies made acts of all sorts and in all cases whatsoever. They levied money, not for parochial purposes, but upon regular grants to the crown, following all the rules and principles of a parliament to which they approached every day more and more nearly. Those who think themselves wiser than Providence, and stronger than the course of nature, may complain of all this variation, on the one side or the other, as their several humours and prejudices may lead them. But things could not be otherwise; and English colonies must be had on these terms, or not had at all. In the mean time, neither party felt any inconvenience from this double legislature, to which they had been formed by imperceptible habits, and old custom, the great support of all the governments in the world. Though these two legislatures were sometimes found perhaps performing the very same functions, they did not very grossly or systematically clash. In all likelihood this arose from mere neglect; possibly from the natural operation of things, which, left to themselves, generally fall into their proper order. But whatever was the cause, it is certain that a regular revenue, by the authority of parliament, for the support of civil and military establishments, seems not to have been thought of until the colonies were too proud to submit, too strong to be forced, too enlightened not to see all the consequences which must arise from such a system.

If ever this scheme of taxation was to be pushed against the inclinations of the people, it was evident that discussions must arise, which would let loose all the elements that composed this double constitution; would show how much each

of their members had departed from its original principles; and would discover contradictions in each legislature, as well to its own first principles as to its relation to the other, very difficult, if not absolutely impossible, to be reconciled.

Therefore at the first fatal opening of this contest, the wisest course seemed to be to put an end as soon as possible to the immediate causes of the dispute; and to quiet a discussion, not easily settled upon clear principles, and arising from claims, which pride would permit neither party to abandon, by resorting as nearly as possible to the old, successful course. A mere repeal of the obnoxious tax, with a declaration of the legislative authority of this kingdom, was then fully sufficient to procure peace to *both sides*. Man is a creature of habit, and, the first breach being of very short continuance, the colonies fell back exactly into their ancient state. The congress has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the stamp act, "the colonies fell," says this assembly, "into their ancient state of *unsuspecting confidence in the mother country*." This unsuspecting confidence is the true centre of gravity amongst mankind, about which all the parts are at rest. It is this *unsuspecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient, puzzled, political establishments. Happy are the rulers which have the secret of preserving it!

The whole empire has reason to remember, with eternal gratitude, the wisdom and temper of that man and his excellent associates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the nature of man, and the circumstances and habits of the two countries, and not on any visionary speculations, perfectly answered its end, as long as it was thought proper to adhere to it. Without giving a rude shock to the dignity (well or ill understood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial spirit and talents of that great man, between such clashing pretensions and passions, we should then have rushed headlong (I know what I say) into the calamities of that civil war, in which, by departing from his system, we are at length involved; and we should have been precipitated into that

war, at a time when circumstances both at home and abroad were far, very far, more unfavourable unto us than they were at the breaking out of the present troubles.

I had the happiness of giving my first votes in parliament for their pacification. I was one of those almost unanimous members, who, in the necessary concessions of parliament, would as much as possible have preserved its authority, and respected its honour. I could not at once tear from my heart prejudices which were dear to me, and which bore a resemblance to virtue. I had then, and I have still, my partialities. What parliament gave up, I wished to be given as of grace, and favour, and affection, and not as a restitution of stolen goods. High dignity relented as it was soothed; and a benignity from old acknowledged greatness had its full effect on our dependencies. Our unlimited declaration of legislative authority produced not a single murmur. If this undefined power has become odious since that time, and full of horror to the colonies, it is because the *unsuspicious confidence* is lost, and the parental affection, in the bosom of whose boundless authority they reposed their privileges, is become estranged and hostile.

It will be asked, if such was then my opinion of the mode of pacification, how I came to be the very person who moved, not only for a repeal of all the late coercive statutes, but for mutilating, by a positive law, the entireness of the legislative power of parliament, and cutting off from it the whole right of taxation? I answer, because a different state of things requires a different conduct. When the dispute had gone to these last extremities, (which no man laboured more to prevent than I did,) the concessions which had satisfied in the beginning, could satisfy no longer; because the violation of tacit faith required explicit security. The same cause which has introduced all formal compacts and covenants among men made it necessary. I mean habits of soreness, jealousy, and distrust. I parted with it, as with a limb; but as a limb to save the body; and I would have parted with more, if more had been necessary; anything rather than a fruitless, hopeless, unnatural civil war. This mode of yielding would, it is said, give way to independency, without a war. I am persuaded from the nature of things, and from every information, that it would have had a directly contrary effect. But if it

had this effect, I confess that I should prefer independency without war, to independency with it; and I have so much trust in the inclinations and prejudices of mankind, and so little in anything else, that I should expect ten times more benefit to this kingdom from the affection of America, though under a separate establishment, than from her perfect submission to the crown and parliament, accompanied with her terror, disgust, and abhorrence. Bodies tied together by so unnatural a bond of union as mutual hatred, are only connected to their ruin.

One hundred and ten respectable members of parliament voted for that concession. Many not present, when the motion was made, were of the sentiments of those who voted. I knew it would then have made peace. I am not without hopes that it would do so at present if it were adopted. No benefit, no revenue, could be lost by it; something might possibly be gained by its consequences. For be fully assured, that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking them to any subjection, far from relieving your burthens, (the pretext for this war,) will never pay that military force which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinion on the present state of public affairs. Mean as they may be in themselves, your partiality has made them of some importance. Without troubling myself to inquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and I express myself as I feel. If I presume to blame any public proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it. My fault might be greater, but the public calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with whose support I was not honoured at my election; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it my most humble service in everything. I hope that whenever any of them were pleased to command me, that they found me perfectly equal

in my obedience. But flattery and friendship are very different things; and to mislead is not to serve them. I cannot purchase the favour of any man by concealing from him what I think his ruin. By the favour of my fellow-citizens, I am the representative of an honest, well-ordered, virtuous city; of a people, who preserve more of the original English simplicity, and purity of manners, than perhaps any other. You possess among you several men and magistrates of large and cultivated understandings; fit for any employment in any sphere. I do, to the best of my power, act so as to make myself worthy of so honourable a choice. If I were ready, on any call of my own vanity or interest, or to answer any election purpose, to forsake principles, (whatever they are,) which I had formed at a mature age, on full reflection, and which had been confirmed by long experience, I should forfeit the only thing which makes you pardon so many errors and imperfections in me. Not that I think it fit for any one to rely too much on his own understanding; or to be filled with a presumption, not becoming a Christian man, in his own personal stability and rectitude.

I hope I am far from that vain confidence, which almost always fails in trial. I know my weakness in all respects, as much at least as any enemy I have; and I attempt to take security against it. The only method which has ever been found effectual to preserve any man against the corruption of nature and example, is an habit of life and communication of counsels with the most virtuous and public-spirited men of the age you live in. Such a society cannot be kept without advantage, or deserted without shame. For this rule of conduct I may be called in reproach a *party man;* but I am little affected with such aspersions. In the way which they call party, I worship the constitution of your fathers; and I shall never blush for my political company. All reverence to honour, all idea of what it is, will be lost out of the world, before it can be imputed as a fault to any man, that he has been closely connected with those incomparable persons, living and dead, with whom for eleven years I have constantly thought and acted. If I have wandered out of the paths of rectitude into those of interested faction, it was in company with the Saviles, the Dowdeswells, the Wentworths, the Bentincks; with the Lenoxes, the Manchesters, the Keppels,

the Saunderses; with the temperate, permanent, hereditary virtue of the whole House of Cavendish; names, among which, some have extended your fame and empire in arms, and all have fought the battle of your liberties in fields not less glorious.—These, and many more like these, grafting public principles on private honour, have redeemed the present age, and would have adorned the most splendid period in your history. Where could any man, conscious of his own inability to act alone, and willing to act as he ought to do, have arranged himself better? If any one thinks this kind of society to be taken up as the best method of gratifying low, personal pride, or ambitious interest, he is mistaken; and he knows nothing of the world.

Preferring this connexion, I do not mean to detract in the slightest degree from others. There are some of those, whom I admire at something of a greater distance, with whom I have had the happiness also perfectly to agree, in almost all the particulars, in which I have differed with some successive administrations; and they are such, as it never can be reputable to any government to reckon among its enemies. I hope there are none of you corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the public stage are all alike; all equally corrupt; all influenced by no other views than the sordid lure of salary and pension. The thing I know by experience to be false. Never expecting to find perfection in men, and not looking for Divine attributes in created beings, in my commerce with my contemporaries, I have found much human virtue. I have seen not a little public spirit; a real subordination of interest to duty; and a decent and regulated sensibility to honest fame and reputation. The age unquestionably produces (whether in a greater or less number than former times, I know not) daring profligates, and insidious hypocrites. What then? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it? The smallness of the quantity in currency only heightens the value. They who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no justification for taking this party. I have

been deceived, say they, by *Titius* and *Mævius;* I have been the dupe of this pretender or of that mountebank; and I can trust appearances no longer. But my credulity and want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment, than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims; I trusted to profession, when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption, ought to remember that he is sure to convict only one. In truth I should much rather admit those, whom at any time I have disrelished the most, to be patterns of perfection, than seek a consolation to my own unworthiness, in a general communion of depravity with all about me.

That this ill-natured doctrine should be preached by the missionaries of a court, I do not wonder. It answers their purpose. But that it should be heard among those who pretend to be strong assertors of liberty, is not only surprising, but hardly natural. This moral levelling is a *servile principle.* It leads to practical passive obedience far better than all the doctrines which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible resistance, but even of civil opposition. It disposes men to an abject submission, not by opinion, which may be shaken by argument or altered by passion, but by the strong ties of public and private interest. For if all men who act in a public situation are equally selfish, corrupt, and venal, what reason can be given for desiring any sort of change, which, besides the evils which must attend all changes, can be productive of no possible advantage? The active men in the state are true samples of the mass. If they are universally depraved, the commonwealth itself is not sound. We may amuse ourselves with talking as much as we please of the virtue of middle or humble life; that is, we may place our confidence in the virtue of those who have never been tried. But if the persons who are continually emerging out of that sphere, be no better than those whom birth has placed above it, what hopes are there in the remainder of the body, which is to

furnish the perpetual succession of the state? All who have ever written on government are unanimous, that among a people generally corrupt, liberty cannot long exist. And indeed how is it possible? when those who are to make the laws, to guard, to enforce, or to obey them, are, by a tacit confederacy of manners, indisposed to the spirit of all generous and noble institutions.

I am aware that the age is not what we all wish. But I am sure, that the only means of checking its precipitate degeneracy, is heartily to concur with whatever is the best in our time: and to have some more correct standard of judging what that best is, than the transient and uncertain favour of a court. If once we are able to find, and can prevail on ourselves to strengthen, an union of such men, whatever accidentally becomes indisposed to ill-exercised power, even by the ordinary operation of human passions, must join with that society, and cannot long be joined without in some degree assimilating to it. Virtue will catch as well as vice by contact; and the public stock of honest, manly principle will daily accumulate. We are not too nicely to scrutinize motives as long as action is irreproachable. It is enough (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apostasy.

This, gentlemen, has been from the beginning the rule of my conduct; and I mean to continue it, as long as such a body as I have described can by any possibility be kept together; for I should think it the most dreadful of all offences, not only towards the present generation, but to all the future, if I were to do anything which could make the minutest breach in this great conservatory of free principles. Those who perhaps have the same intentions, but are separated by some little political animosities, will I hope discern at last, how little conducive it is to any rational purpose, to lower its reputation. For my part, gentlemen, from much experience, from no little thinking, and from comparing a great variety of things, I am thoroughly persuaded, that the last hopes of preserving the spirit of the English constitution, or of reuniting the dissipated members of the English race upon a common plan of tranquillity and liberty, does entirely depend on their firm and lasting union; and above all, on their keeping themselves from that despair, which is so very

apt to fall on those, whom a violence of character and a mixture of ambitious views do not support through a long, painful, and unsuccessful struggle.

There never, gentlemen, was a period in which the stedfastness of some men has been put to so sore a trial. It is not very difficult for well-formed minds to abandon their interest; but the separation of fame and virtue is a harsh divorce. Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of honest equality. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxuriance of freedom appear much more shocking to us than the base vices which are generated from the rankness of servitude. Accordingly the least resistance to power appears more inexcusable in our eyes than the greatest abuses of authority. All dread of a standing military force is looked upon as a superstitious panic. All shame of calling in foreigners and savages in a civil contest is worn off. We grow indifferent to the consequences inevitable to ourselves from the plan of ruling half the empire by a mercenary sword. We are taught to believe, that a desire of domineering over our countrymen is love to our country; that those who hate civil war abate rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderness to the privileges of those who depend on this kingdom, are a sort of treason to the state.

It is impossible that we should remain long in a situation, which breeds such notions and dispositions, without some great alteration in the national character. Those ingenuous and feeling minds who are so fortified against all other things, and so unarmed to whatever approaches in the shape of disgrace, finding these principles, which they considered as sure means of honour, to be grown into disrepute, will retire disheartened and disgusted. Those of a more robust make, the bold, able, ambitious men, who pay some of their court to power through the people, and substitute the voice of transient opinion in the place of true glory, will give in to the general mode; and those superior understandings which ought to correct vulgar prejudice, will confirm and aggravate

its errors. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years, than all the other causes could have effected in a century. It is therefore not on its own separate account, but because of its attendant circumstances, that I consider its continuance, or its ending in any way but that of an honourable and liberal accommodation, as the greatest evils which can befall us. For that reason I have troubled you with this long letter. For that reason I entreat you again and again, neither to be persuaded, shamed, or frighted out of the principles that have hitherto led so many of you to abhor the war, its cause, and its consequences. Let us not be among the first who renounce the maxims of our forefathers.

I have the honour to be,

GENTLEMEN,

Your most obedient and faithful humble servant,

EDMUND BURKE.

Beaconsfield, April 3, 1777.

P. S. You may communicate this letter in any manner you think proper to my constituents.

TWO LETTERS

TO

GENTLEMEN IN THE CITY OF BRISTOL;

ON THE BILLS DEPENDING IN PARLIAMENT RELATIVE TO THE TRADE OF IRELAND.

1778.

TO SAMUEL SPAN, ESQ.,

MASTER OF THE SOCIETY OF MERCHANTS ADVENTURERS OF BRISTOL.

SIR,

I am honoured with your letter of the 13th, in answer to mine, which accompanied the resolutions of the House relative to the trade of Ireland.

You will be so good as to present my best respects to the Society, and to assure them, that it was altogether unnecessary to remind me of the interest of the constituents. I have never regarded anything else since I had a seat in parliament. Having frequently and maturely considered that interest, and stated it to myself in almost every point of view, I am persuaded, that, under the present circumstances, I cannot more effectually pursue it, than by giving all the support in my power to the propositions which I lately transmitted to the hall.

The fault I find in the scheme is,—that it falls extremely short of that liberality in the commercial system, which, I trust, will one day be adopted. If I had not considered the present resolutions merely as preparatory to better things, and as a means of showing, experimentally, that justice to

others is not always folly to ourselves, I should have contented myself with receiving them in a cold and silent acquiescence. Separately considered, they are matters of no very great importance. But they aim, however imperfectly, at a right principle. I submit to the restraint to appease prejudice: I accept the enlargement, so far as it goes, as the result of reason and of sound policy.

We cannot be insensible of the calamities which have been brought upon this nation by an obstinate adherence to narrow and restrictive plans of government. I confess I cannot prevail on myself to take them up, precisely at a time, when the most decisive experience has taught the rest of the world to lay them down. The propositions in question did not originate from me, or from my particular friends. But when things are so rife in themselves, I hold it my duty, not to inquire from what hands they come. I opposed the American measures upon the very same principle on which I support those that relate to Ireland. I was convinced, that the evils which have arisen from the adoption of the former, would be infinitely aggravated by the rejection of the latter.

Perhaps gentlemen are not yet fully aware of the situation of their country, and what its exigences absolutely require. I find that we are still disposed to talk at our ease, and as if all things were to be regulated by our good pleasure. I should consider it as a fatal symptom, if, in our present distressed and adverse circumstances, we should persist in the errors which are natural only to prosperity. One cannot indeed sufficiently lament the continuance of that spirit of delusion, by which, for a long time past, we have thought fit to measure our necessities by our inclinations. Moderation, prudence, and equity, are far more suitable to our condition, than loftiness, and confidence, and rigour. We are threatened by enemies of no small magnitude, whom, if we think fit, we may despise, as we have despised others; but they are enemies who can only cease to be truly formidable, by our entertaining a due respect for their power. Our danger will not be lessened by our shutting our eyes to it; nor will our force abroad be increased by rendering ourselves feeble and divided at home.

There is a dreadful schism in the British nation. Since

we are not able to re-unite the empire, it is our business to give all possible vigour and soundness to those parts of it which are still content to be governed by our councils. Sir, it is proper to inform you, that our measures *must be healing*. Such a degree of strength must be communicated to all the members of the state, as may enable them to defend themselves, and to co-operate in the defence of the whole. Their temper too must be managed, and their good affections cultivated. They may then be disposed to bear the load with cheerfulness, as a contribution towards what may be called with truth and propriety, and not by an empty form of words, *a common cause*. Too little dependence cannot be had, at this time of day, on names and prejudices. The eyes of mankind are opened; and communities must be held together by an evident and solid interest. God forbid, that our conduct should demonstrate to the world, that Great Britain can, in no instance whatsoever, be brought to a sense of rational and equitable policy, but by coercion and force of arms!

I wish you to recollect, with what powers of concession, relative to commerce, as well as to legislation, his Majesty's commissioners to the united colonies have sailed from England within this week. Whether these powers are sufficient for their purposes, it is not now my business to examine. But we all know, that our resolutions in favour of Ireland are trifling and insignificant, when compared with the concessions to the Americans. At such a juncture, I would implore every man, who retains the least spark of regard to the yet remaining honour and security of this country, not to compel others to an imitation of their conduct; or by passion and violence, to force them to seek, in the territories of the separation, that freedom, and those advantages, which they are not to look for whilst they remain under the wings of their ancient government.

After all, what are the matters we dispute with so much warmth? Do we in these resolutions *bestow* anything upon Ireland? Not a shilling. We only consent to *leave* to them, in two or three instances, the use of the natural faculties which God has given to them, and to all mankind. Is Ireland united to the crown of Great Britain for no other purpose, than that we should counteract the bounty of Providence in her favour? And in proportion as that bounty

has been liberal, that we are to regard it as an evil, which is to be met with in every sort of corrective? To say that Ireland interferes with us, and therefore must be checked, is, in my opinion, a very mistaken and a very dangerous principle. I must beg leave to repeat, what I took the liberty of suggesting to you in my last letter, that Ireland is a country, in the same climate, and of the same natural qualities and productions, with this; and has consequently no other means of growing wealthy in herself, or, in other words, of being useful to us, but by doing the very same things which we do, for the same purposes. I hope that in Great Britain we shall always pursue, without exception, *every* means of prosperity; and of course, that Ireland *will* interfere with us in something or other; for either, in order to *limit* her, we *must restrain* ourselves, or we must fall into that shocking conclusion, that we are to keep our yet remaining dependency under a general and indiscriminate restraint, for the mere purpose of oppression. Indeed, Sir, England and Ireland may flourish together. The world is large enough for us both. Let it be our care not to make ourselves too little for it.

I know it is said, that the people of Ireland do not pay the same taxes, and therefore ought not in equity to enjoy the same benefits with this. I had hopes, that the unhappy phantom of a compulsory *equal taxation* had haunted us long enough. I do assure you, that until it is entirely banished from our imaginations, (where alone it has, or can have, any existence,) we shall never cease to do ourselves the most substantial injuries. To that argument of equal taxation, I can only say,—that Ireland pays as many taxes as those, who are the best judges of her powers, are of opinion she can bear. To bear more, she must have more ability, and, in the order of nature, the advantage must *precede* the charge. This disposition of things being the law of God, neither you nor I *can* alter it. So that if you will have more help from Ireland, you must *previously* supply her with more means. I believe it will be found, that if men are suffered freely to cultivate their natural advantages, a virtual equality of contribution will come in its own time, and will flow by an easy descent through its own proper and natural channels. An attempt to disturb that course, and to force nature, will only bring on universal discontent, distress, and confusion.

You tell me, Sir, that you prefer an union with Ireland to the little regulations which are proposed in parliament. This union is a great question of state, to which, when it comes properly before me in my parliamentary capacity, I shall give an honest and unprejudiced consideration. However, it is a settled rule with me, to make the most of my *actual situation*; and not to refuse to do a proper thing, because there is something else more proper, which I am not able to do. This union is a business of difficulty; and, on the principles of your letter, a business impracticable. Until it can be matured into a feasible and desirable scheme, I wish to have as close an union of interest and affection with Ireland as I can have; and that, I am sure, is a far better thing than any nominal union of government.

France, and indeed most extensive empires, which by various designs and fortunes have grown into one great mass, contain many provinces that are very different from each other in privileges and modes of government; and they raise their supplies in different ways, in different proportions, and under different authorities; yet none of them are for this reason curtailed of their natural rights; but they carry on trade and manufactures with perfect equality. In some way or other the true balance is found, and all of them are properly poised and harmonized. How much have you lost by the participation of Scotland in all your commerce? The external trade of England has more than doubled since that period; and I believe your internal (which is the most advantageous) has been augmented at least fourfold. Such virtue there is in liberality of sentiment, that you have grown richer even by the partnership of poverty.

If you think that this participation was a loss, commercially considered, but that it has been compensated by the share which Scotland has taken in defraying the public charge —I believe you have not very carefully looked at the public accounts. Ireland, Sir, pays a great deal more than Scotland; and is perhaps as much and as effectually united to England as Scotland is. But if Scotland, instead of paying little, had paid nothing at all, we should be gainers, not losers, by acquiring the hearty co-operation of an active, intelligent people, towards the increase of the common stock; instead of

our being employed in watching and counteracting them, and their being employed in watching and counteracting us, with the peevish and churlish jealousy of rivals and enemies on both sides.

I am sure, Sir, that the commercial experience of the merchants of Bristol will soon disabuse them of the prejudice, that they can trade no longer, if countries more lightly taxed are permitted to deal in the same commodities at the same markets. You know that, in fact, you trade very largely where you are met by the goods of all nations. You even pay high duties on the import of your goods, and afterwards undersell nations less taxed, at their own markets; and where goods of the same kind are not charged at all. If it were otherwise, you could trade very little. You know, that the price of all sorts of manufacture is not a great deal enhanced (except to the domestic consumer) by any taxes paid in this country. This I might very easily prove.

The same consideration will relieve you from the apprehension you express with relation to sugars, and the difference of the duties paid here and in Ireland. Those duties affect the interior consumer only; and for obvious reasons, relative to the interest of revenue itself, they must be proportioned to his ability of payment; but in all cases in which sugar can be an *object of commerce*, and therefore (in this view) of rivalship, you are sensible, that you are at least on a par with Ireland. As to your apprehensions concerning the more advantageous situation of Ireland for some branches of commerce, (for it is so but for some,) I trust you will not find them more serious. Milford Haven, which is at your door, may serve to show you, that the mere advantage of ports is not the thing which shifts the seat of commerce from one part of the world to the other. If I thought you inclined to take up this matter on local considerations, I should state to you, that I do not know any part of the kingdom so well situated for an advantageous commerce with Ireland as Bristol; and that none would be so likely to profit of its prosperity as our city. But your profit and theirs must concur. Beggary and bankruptcy are not the circumstances which invite to an intercourse with that or with any country; and I believe it will be found invariably

true, that the superfluities of a rich nation furnish a better object of trade than the necessities of a poor one. It is the interest of the commercial world that wealth should be found everywhere.

The true ground of fear, in my opinion, is this: that Ireland, from the vicious system of its internal polity, will be a long time before it can derive any benefit from the liberty now granted, or from anything else. But, as I do not vote advantages in hopes that they may not be enjoyed, I will not lay any stress upon this consideration. I rather wish, that the parliament of Ireland may, in its own wisdom, remove these impediments, and put their country in a condition to avail itself of its natural advantages. If they do not, the fault is with them, and not with us.

I have written this long letter, in order to give all possible satisfaction to my constituents, with regard to the part I have taken in this affair. It gave me inexpressible concern to find, that my conduct had been a cause of uneasiness to any of them. Next to my honour and conscience, I have nothing so near and dear to me as their approbation. However, I had much rather run the risk of displeasing than of injuring them;—if I am driven to make such an option. You obligingly lament, that you are not to have me for your advocate; but if I had been capable of acting as an advocate in opposition to a plan so perfectly consonant to my known principles, and to the opinions I had publicly declared on a hundred occasions, I should only disgrace myself, without supporting, with the smallest degree of credit or effect, the cause you wished me to undertake. I should have lost the only thing which can make such abilities as mine of any use to the world now or hereafter; I mean that authority which is derived from an opinion, that a member speaks the language of truth and sincerity; and that he is not ready to take up or lay down a great political system for the convenience of the hour; that he is in parliament to support his opinion of the public good, and does not form his opinion in order to get into parliament, or to continue in it. It is in a great measure for your sake, that I wish to preserve this character. Without it, I am sure, I should be ill able to discharge, by any service, the smallest part of that debt of gratitude and affection which I owe you for the great and

honourable trust you have reposed in me. I am, with the highest regard and esteem,

SIR,

Your most obedient and humble Servant,

E. B.

Beaconsfield, April 23, 1778.

COPY OF A LETTER

TO

MESSRS. *******, ****** AND CO., BRISTOL.

GENTLEMEN,

It gives me the most sensible concern to find, that my vote on the resolutions relative to the trade of Ireland has not been fortunate enough to meet with your approbation. I have explained at large the grounds of my conduct on that occasion in my letters to the Merchants' Hall; but my very sincere regard and esteem for you will not permit me to let the matter pass without an explanation, which is particular to yourselves, and which, I hope, will prove satisfactory to you.

You tell me, that the conduct of your late member is not much wondered at; but you seem to be at a loss to account for mine; and you lament that I have taken so decided a part *against* my constituents.

This is rather a heavy imputation. Does it then really appear to you, that the propositions to which you refer, are, on the face of them, so manifestly wrong, and so certainly injurious to the trade and manufactures of Great Britain, and particularly to yours, that no man could think of proposing or supporting them, except from resentment to you, or from some other oblique motive? If you suppose your late member, or if you suppose me, to act upon other reasons than we choose to avow, to what do you attribute the conduct of the *other* members, who in the beginning almost unanimously adopted those resolutions? To what do you attribute the strong part taken by the ministers, and along with the

ministers, by several of their most declared opponents? This does not indicate a ministerial job; a party design; or a provincial or local purpose. It is therefore not so absolutely clear, that the measure is wrong, or likely to be injurious to the true interests of any place, or any person.

The reason, gentlemen, for taking this step, at this time, is but too obvious and too urgent. I cannot imagine, that you forget the great war, which has been carried on with so little success (and, as I thought, with so little policy) in America; or that you are not aware of the other great wars which are impending. Ireland has been called upon to repel the attacks of enemies of no small power, brought upon her by councils in which she has had no share. The very purpose and declared object of that original war, which has brought other wars and other enemies on Ireland, was not very flattering to her dignity, her interest, or to the very principle of her liberty. Yet she submitted patiently to the evils she suffered from an attempt to subdue to *your* obedience countries whose very commerce was not open to her. America was to be conquered, in order that Ireland should *not* trade thither; whilst the miserable trade which she is permitted to carry on to other places has been torn to pieces in the struggle. In this situation, are we neither to suffer her to have any real interest in our quarrel, or to be flattered with the hope of any future means of bearing the burthens which she is to incur in defending herself against enemies which we have brought upon her?

I cannot set my face against such arguments. Is it quite fair to suppose, that I have no other motive for yielding to them, but a desire of acting *against* my constituents? It is for *you*, and for *your* interest, as a dear, cherished, and respected part of a valuable whole, that I have taken my share in this question. You do not, you cannot suffer by it. If honesty be true policy with regard to the transient interest of individuals, it is much more certainly so with regard to the permanent interests of communities. I know, that it is but too natural for us to see our own *certain* ruin in the *possible* prosperity of other people. It is hard to persuade us, that everything which is *got* by another is not *taken* from ourselves. But it is fit that we should get the better of these suggestions, which come from what is not the best and

soundest part of our nature, and that we should form to ourselves a way of thinking, more rational, more just, and more religious. Trade is not a limited thing; as if the objects of mutual demand and consumption could not stretch beyond the bounds of our jealousies. God has given the earth to the children of men, and he has undoubtedly, in giving it to them, given them what is abundantly sufficient for all their exigences; not a scanty, but a most liberal, provision for them all. The Author of our nature has written it strongly in that nature, and has promulgated the same law in his written word, that man shall eat his bread by his labour; and I am persuaded, that no man, and no combination of men, for their own ideas of their particular profit, can, without great impiety, undertake to say, that he *shall not* do so; that they have no sort of right, either to prevent the labour, or to withhold the bread. Ireland having received no *compensation*, directly or indirectly, for any restraints on their trade, ought not, in justice or common honesty, to be made subject to such restraints. I do not mean to impeach the right of the parliament of Great Britain to make laws for the trade of Ireland. I only speak of what laws it is right for parliament to make.

It is nothing to an oppressed people, to say that in part they are protected at our charge. The military force which shall be kept up in order to cramp the natural faculties of a people, and to prevent their arrival to their utmost prosperity, is the instrument of their servitude, not the means of their protection. To protect men, is to forward, and not to restrain, their improvement. Else, what is it more, than to avow to them, and to the world, that you guard them from others, only to make them a prey to yourself? This fundamental nature of protection does not belong to free, but to all governments; and is as valid in Turkey as in Great Britain. No government ought to own that it exists for the purpose of checking the prosperity of its people, or that there is such a principle involved in its policy.

Under the impression of these sentiments (and not as wanting every attention to my constituents, which affection and gratitude could inspire) I voted for these bills which give you so much trouble. I voted for them, not as doing complete justice to Ireland, but as being something less un-

just than the general prohibition which has hitherto prevailed. I hear some discourse, as if, in one or two paltry duties on materials, Ireland had a preference; and that those, who set themselves against this act of scanty justice, assert that they are only contending for an *equality*. What equality? Do they forget, that the whole woollen manufacture of Ireland, the most extensive and profitable of any, and the natural staple of that kingdom, has been in a manner so destroyed by restrictive laws of ours, and (at our persuasion, and on our promises) by restrictive laws of *their own*, that in a few years, it is probable, they will not be able to wear a coat of their own fabric? Is this equality? Do gentlemen forget, that the understood faith, upon which they were persuaded to such an unnatural act, has not been kept; and that a linen-manufacture has been set up, and highly encouraged, against them? Is this equality? Do they forget the state of the trade of Ireland in beer, so great an article of consumption, and which now stands in so mischievous a position with regard to their revenue, their manufacture, and their agriculture? Do they find any equality in all this? Yet if the least step is taken towards doing them common justice in the lightest articles for the most limited markets, a cry is raised, as if we were going to be ruined by partiality to Ireland.

Gentlemen, I know that the deficiency in these arguments is made up (not by you, but by others) by the usual resource on such occasions, the confidence in military force and superior power. But that ground of confidence, which at no time was perfectly just, or the avowal of it tolerably decent, is at this time very unseasonable. Late experience has shown, that it cannot be altogether relied upon; and many, if not all, of our present difficulties have arisen from putting our trust in what may very possibly fail; and if it should fail, leaves those who are hurt by such a reliance, without pity. Whereas honesty and justice, reason and equity, go a very great way in securing prosperity to those who use them; and, in case of failure, secure the best retreat, and the most honourable consolations.

It is very unfortunate that we should consider those as rivals, whom we ought to regard as fellow-labourers in a common cause. Ireland has never made a single step in its

progress towards prosperity, by which you have not had a share, and perhaps the greatest share, in the benefit. That progress has been chiefly owing to her own natural advantages, and her own efforts, which, after a long time, and by slow degrees, have prevailed in some measure over the mischievous systems which have been adopted. Far enough she is still from having arrived even at an ordinary state of perfection; and if our jealousies were to be converted into politics, as systematically as some would have them, the trade of Ireland would vanish out of the system of commerce. But believe me, if Ireland is beneficial to you, it is so not from the parts in which it is restrained, but from those in which it is left free, though not left unrivalled. The greater its freedom, the greater must be your advantage. If you should lose in one way, you will gain in twenty.

Whilst I remain under this unalterable and powerful conviction, you will not wonder at the *decided* part I take. It is my custom so to do, when I see my way clearly before me; and when I know that I am not misled by any passion, or any personal interest; as in this case, I am very sure, I am not. I find that disagreeable things are circulated among my constituents; and I wish my sentiments, which form my justification, may be equally general with the circulation against me. I have the honour to be, with the greatest regard and esteem,

GENTLEMEN,

Your most obedient and humble servant,

E. B.

Westminster, May 2, 1778.

I send the bills.

SPEECH

ON

PRESENTING TO THE HOUSE OF COMMONS,

(ON THE 11TH FEBRUARY, 1780,)

A PLAN FOR THE BETTER SECURITY OF THE INDEPENDENCE OF PARLIAMENT, AND THE ECONOMICAL REFORMATION OF THE CIVIL AND OTHER ESTABLISHMENTS.

MR. SPEAKER,

I rise, in acquittal of my engagement to the House, in obedience to the strong and just requisition of my constituents, and, I am persuaded, in conformity to the unanimous wishes of the whole nation, to submit to the wisdom of parliament, "A Plan of reform in the constitution of several parts of the public economy."

I have endeavoured, that this plan should include, in its execution, a considerable reduction of improper expense; that it should effect a conversion of unprofitable titles into a productive estate; that it should lead to, and indeed almost compel, a provident administration of such sums of public money as must remain under discretionary trusts; that it should render the incurring debts on the civil establishment (which must ultimately affect national strength and national credit) so very difficult, as to become next to impracticable.

But what, I confess, was uppermost with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is itself the perennial spring of all prodigality, and of all disorder; which loads us, more than millions of debt; which takes away vigour from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our constitution

Sir, I assure you, very solemnly, and with a very clear conscience, that nothing in the world has led me to such an undertaking, but my zeal for the honour of this House, and the settled, habitual, systematic affection I bear to the cause and to the principles of government.

I enter perfectly into the nature and consequences of my attempt; and I advance to it with a tremor that shakes me to the inmost fibre of my frame. I feel that I engage in a business, in itself most ungracious, totally wide of the course of prudent conduct; and, I really think, the most completely adverse that can be imagined to the natural turn and temper of my own mind. I know, that all parsimony is of a quality approaching to unkindness; and that (on some person or other) every reform must operate as a sort of punishment. Indeed the whole class of the severe and restrictive virtues are at a market almost too high for humanity. What is worse, there are very few of those virtues which are not capable of being imitated, and even outdone, in many of their most striking effects, by the worst of vices. Malignity and envy will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not, therefore, wonder, that gentlemen have kept away from such a task, as well from good-nature as from prudence. Private feeling might, indeed, be overborne by legislative reason; and a man of a long-sighted and strong-nerved humanity might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessaries of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful, bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace;—I mean even that public and enlarged prudence, which, apprehensive of being disabled from rendering acceptable services to the world, withholds itself from those that are invidious. Gentlemen who are, with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread the anger of a reigning prince;—they who are more provident of the future, or by being young are

more interested in it, might tremble at the resentment of the successor; they might see a long, dull, dreary, unvaried visto of despair and exclusion, for half a century, before them. This is no pleasant prospect at the outset of a political journey.

Besides this, Sir, the private enemies to be made in all attempts of this kind are innumerable; and their enmity will be the more bitter, and the more dangerous too, because a sense of dignity will oblige them to conceal the cause of their resentment. Very few men of great families and extensive connexions, but will feel the smart of a cutting reform, in some close relation, some bosom friend, some pleasant acquaintance, some dear, protected dependent. Emolument is taken from some; patronage from others; objects of pursuit from all. Men, forced into an involuntary independence, will abhor the authors of a blessing which in their eyes has so very near a resemblance to a curse. When officers are removed and the offices remain, you may set the gratitude of some against the anger of others; you may oppose the friends you oblige against the enemies you provoke. But services of the present sort create no attachments. The individual good felt in a public benefit is comparatively so small, comes round through such an involved labyrinth of intricate and tedious revolutions; whilst a present, personal detriment is so heavy where it falls, and so instant in its operation, that the cold commendation of a public advantage never was, and never will be, a match for the quick sensibility of a private loss: and you may depend upon it, Sir, that when many people have an interest in railing, sooner or later, they will bring a considerable degree of unpopularity upon any measure. So that, for the present at least, the reformation will operate against the reformers; and revenge (as against them at the least) will produce all the effects of corruption.

This, Sir, is almost always the case, where the plan has complete success. But how stands the matter in the mere attempt? Nothing, you know, is more common than for men to wish, and call loudly too, for a reformation, who, when it arrives, do by no means like the severity of its aspect. Reformation is one of those pieces which must be put at some distance in order to please. Its greatest favourers

love it better in the abstract than in the substance. When any old prejudice of their own, or any interest that they value, is touched, they become scrupulous, they become captious, and every man has his separate exception. Some pluck out the black hairs, some the grey; one point must be given up to one, another point must be yielded to another; nothing is suffered to prevail upon its own principle; the whole is so frittered down, and disjointed, that scarcely a trace of the original scheme remains! Thus, between the resistance of power, and the unsystematical process of popularity, the undertaker and the undertaking are both exposed, and the poor reformer is hissed off the stage both by friends and foes.

Observe, Sir, that the apology for my undertaking (an apology which, though long, is no longer than necessary) is not grounded on my want of the fullest sense of the difficult and invidious nature of the task I undertake. I risk odium if I succeed, and contempt if I fail. My excuse must rest in my own and your conviction of the absolute, urgent *necessity* there is that something of the kind should be done. If there is any sacrifice to be made, either of estimation or of fortune, the smallest is the best. Commanders-in-chief are not to be put upon the forlorn hope. But, indeed, it is necessary that the attempt should be made. It is necessary from our own political circumstances; it is necessary from the operations of the enemy; it is necessary from the demands of the people, whose desires, when they do not militate with the stable and eternal rules of justice and reason, (rules which are above us and above them,) ought to be as a law to a House of Commons.

As to our circumstances, I do not mean to aggravate the difficulties of them by the strength of any colouring whatsoever. On the contrary, I observe, and observe with pleasure, that our affairs rather wear a more promising aspect than they did on the opening of this session. We have had some leading successes. But those who rate them at the highest (higher a great deal indeed than I dare to do) are of opinion, that, upon the ground of such advantages, we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely disgraceful. In such an anxious state of things, if dawnings of success serve to animate

our diligence, they are good; if they tend to increase our presumption, they are worse than defeats. The state of our affairs shall then be as promising as any one may choose to conceive it: it is, however, but promising. We must recollect, that, with but half of our natural strength, we are at war against confederated powers, who have singly threatened us with ruin; we must recollect, that, whilst we are left naked on one side, our other flank is uncovered by any alliance; that, whilst we are weighing and balancing our successes against our losses, we are accumulating debt to the amount of at least fourteen millions in the year. That loss is certain.

I have no wish to deny, that our successes are as brilliant as any one chooses to make them; our resources too may, for me, be as unfathomable as they are represented. Indeed, they are just whatever the people possess, and will submit to pay. Taxing is an easy business. Any projector can contrive new impositions; any bungler can add to the old. But is it altogether wise to have no other bounds to your impositions, than the patience of those who are to bear them?

All I claim upon the subject of your resources is this, that they are not likely to be increased by wasting them.—I think I shall be permitted to assume, that a system of frugality will not lessen your riches, whatever they may be;—I believe it will not be hotly disputed, that those resources which lie heavy on the subject, ought not to be objects of preference; that they ought not to be the *very first choice*, to an honest representative of the people.

This is all, Sir, that I shall say upon our circumstances and our resources; I mean to say a little more on the operations of the enemy, because this matter seems to me very natural in our present deliberation. When I look to the other side of the water, I cannot help recollecting what Pyrrhus said on reconnoitring the Roman camp, "These barbarians have nothing barbarous in their discipline." When I look, as I have pretty carefully looked, into the proceedings of the French king, I am sorry to say it, I see nothing of the character and genius of arbitrary finance; none of the bold frauds of bankrupt power; none of the wild struggles, and plunges, of despotism in distress;—no lopping off from the capital of debt;—no suspension of interest;—no robbery under the name of loan;—no raising the value, no debasing

the substance, of the coin. I see neither Louis the Fourteenth nor Louis the Fifteenth. On the contrary, I behold with astonishment, rising before me, by the very hands of arbitrary power, and in the very midst of war and confusion, a regular methodical system of public credit: I behold a fabric laid on the natural and solid foundations of trust and confidence among men; and rising, by fair gradations, order over order, according to the just rules of symmetry and art. What a reverse of things! Principle, method, regularity, economy, frugality, justice to individuals, and care of the people, are the resources with which France makes war upon Great Britain. God avert the omen! But if we should see any genius in war and politics arise in France to second what is done in the bureau!—I turn my eyes from the consequences.

The noble lord in the blue riband, last year, treated all this with contempt. He never could conceive it possible that the French minister of finance could go through that year with a loan of but seventeen hundred thousand pounds; and that he should be able to fund that loan without any tax. The second year, however, opens the very same scene. A small loan, a loan of no more than two millions five hundred thousand pounds, is to carry our enemies through the service of this year also. No tax is raised to fund that debt; no tax is raised for the current services. I am credibly informed that there is no anticipation whatsoever. Compensations[1] are correctly made. Old debts continue to be sunk as in the time of profound peace. Even payments, which their treasury had been authorized to suspend during the time of war, are not suspended.

A general reform, executed through every *department of the revenue*, creates an annual income of more than half a million, whilst it facilitates and simplifies all the functions of administration. The king's *household*—at the remotest avenues to which all reformation has been hitherto stopped, —that household, which has been the strong-hold of prodigality, the virgin fortress which was never before attacked—has been not only not defended, but it has, even in the forms,

[1] This term comprehends various retributions made to persons whose offices are taken away, or who, in any other way, suffer by the new arrangements that are made.

been surrendered by the king to the economy of his minister. No capitulation; no reserve. Economy has entered in triumph into the public splendour of the monarch, into his private amusements, into the appointments of his nearest and highest relations. Economy and public spirit have made a beneficent and an honest spoil; they have plundered from extravagance and luxury, for the use of substantial service, a revenue of near four hundred thousand pounds. The reform of the finances, joined to this reform of the court, gives to the public nine hundred thousand pounds a year and upwards.

The minister who does these things is a great man—but the king who desires that they should be done is a far greater. We must do justice to our enemies—these are the acts of a patriot king. I am not in dread of the vast armies of France: I am not in dread of the gallant spirit of its brave and numerous nobility: I am not alarmed even at the great navy which has been so miraculously created. All these things Louis the Fourteenth had before. With all these things, the French monarchy has more than once fallen prostrate at the feet of the public faith of Great Britain. It was the want of public credit which disabled France from recovering after her defeats, or recovering even from her victories and triumphs. It was a prodigal court, it was an ill-ordered revenue, that sapped the foundations of all her greatness. Credit cannot exist under the arm of necessity. Necessity strikes at credit, I allow, with a heavier and quicker blow under an arbitrary monarchy, than under a limited and balanced government; but still necessity and credit are natural enemies, and cannot be long reconciled in any situation. From necessity and corruption, a free state may lose the spirit of that complex constitution which is the foundation of confidence. On the other hand, I am far from being sure, that a monarchy, when once it is properly regulated, may not for a long time furnish a foundation for credit upon the solidity of its maxims, though it affords no ground of trust in its institutions. I am afraid I see in England, and in France, something like a beginning of both these things. I wish I may be found in a mistake.

This very short and very imperfect state of what is now going on in France (the last circumstances of which I re-

ceived in about eight days after the registry of the edict[1]) I do not, Sir, lay before you for any invidious purpose. It is in order to excite in us the spirit of a noble emulation.—Let the nations make war upon each other (since we must make war) not with a low and vulgar malignity, but by a competition of virtues. This is the only way by which both parties can gain by war. The French have imitated us; let us, through them, imitate ourselves; ourselves in our better and happier days. If public frugality, under whatever men, or in whatever mode of government, is national strength, it is a strength which our enemies are in possession of before us.

Sir, I am well aware that the state and the result of the French economy which I have laid before you, are even now lightly treated by some, who ought never to speak but from information. Pains have not been spared to represent them as impositions on the public. Let me tell you, Sir, that the creation of a navy, and a two years' war without taxing, are a very singular species of imposture. But be it so. For what end does Neckar carry on this delusion? Is it to lower the estimation of the crown he serves, and to render his own administration contemptible? No! no! He is conscious that the sense of mankind is so clear and decided in favour of economy, and of the weight and value of its resources, that he turns himself to every species of fraud and artifice to obtain the mere reputation of it. Men do not affect a conduct that tends to their discredit. Let us, then, get the better of Monsieur Neckar in his own way—let us do in reality what he does only in pretence—let us turn his French tinsel into English gold. Is then the mere opinion and appearance of frugality and good management of such use to France, and is the substance to be so mischievous to England? Is the very constitution of nature so altered by a sea of twenty miles, that economy should give power on the continent, and that profusion should give it here? For God's sake let not this be the only fashion of France which we refuse to copy.

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and affect to doubt whether the people

[1] Edict, registered 29th January, 1780.

do really desire a plan of economy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality, which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependents, may talk another language. But the voice of nature is against them; and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that "*before any new burthens are laid upon this country, effectual measures be taken by this House to inquire into and correct the gross abuses in the expenditure of public money.*"

This has been treated by the noble lord in the blue riband, as a wild, factious language. It happens, however, that the people in their address to us, use almost word for word the same terms as the king of France uses in addressing himself to his people; and it differs only, as it falls short of the French king's idea of what is due to his subjects. "To convince," says he, "our faithful subjects of *the desire we entertain not to recur to new impositions*, until we have first exhausted all the resources which order and economy can possibly supply," &c., &c.

These desires of the people of England, which come far short of the voluntary concessions of the king of France, are moderate indeed. They only contend that we should interweave some economy with the taxes with which we have chosen to begin the war. They request not that you should rely upon economy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible, that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with a House of Commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the House, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse is the direct interest of government · of government taken abstractedly from its duties,

and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which, above all the rest, distinguishes a wise government from an administration weak and improvident, it is this;—"well to know the best time and manner of yielding what it is impossible to keep." There have been, Sir, and there are, many who choose to chicane with their situation, rather than be instructed by it. Those gentlemen argue against every desire of reformation, upon the principles of a criminal prosecution. It is enough for them to justify their adherence to a pernicious system, that it is not of their contrivance; that it is an inheritance of absurdity, derived to them from their ancestors; that they can make out a long and unbroken pedigree of mismanagers that have gone before them. They are proud of the antiquity of their house; and they defend their errors, as if they were defending their inheritance: afraid of derogating from their nobility; and carefully avoiding a sort of blot in their scutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles the First defended himself on the practice of the Stuart who went before him, and of all the Tudors; his partisans might have gone to the Plantagenets.—They might have found bad examples enough, both abroad and at home, that could have shown an ancient and illustrious descent. But there is a time when men will not suffer bad things because their ancestors have suffered worse. There is a time, when the hoary head of inveterate abuse will neither draw reverence, nor obtain protection. If the noble lord in the blue riband pleads "*not guilty*" to the charges brought against the present system of public economy, it is not possible to give a fair verdict by which he will not stand acquitted. But pleading is not our present business. His plea or his traverse may be allowed as an answer to a charge, when a charge is made. But if he puts himself in the way to obstruct reformation, then the faults of his office instantly become his own. Instead of a public officer in an abusive department, whose province is an object to be regulated, he becomes a criminal who is to be punished. I do most seriously put it to administration, to consider the wisdom of a timely reform. Early reformations

are amicable arrangements with a friend in power; late reformations are terms imposed upon a conquered enemy: early reformations are made in cool blood; late reformations are made under a state of inflammation. In that state of things the people behold in government nothing that is respectable. They see the abuse, and they will see nothing else—They fall into the temper of a furious populace provoked at the disorder of a house of ill fame; they never attempt to correct or regulate; they go to work by the shortest way—They abate the nuisance, they pull down the house.

This is my opinion with regard to the true interest of government. But as it is the interest of government that reformation should be early, it is the interest of the people that it should be temperate. It is their interest, because a temperate reform is permanent; and because it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to consider, to look about us, to examine the effect of what we have done.—Then we can proceed with confidence, because we can proceed with intelligence. Whereas in hot reformations, in what men, more zealous than considerate, call *making clear work*, the whole is generally so crude, so harsh, so indigested; mixed with so much imprudence, and so much injustice; so contrary to the whole course of human nature and human institutions, that the very people who are most eager for it are among the first to grow disgusted at what they have done. Then some part of the abdicated grievance is recalled from its exile in order to become a corrective of the correction. Then the abuse assumes all the credit and popularity of a reform. The very idea of purity and disinterestedness in politics falls into disrepute, and is considered as a vision of hot and inexperienced men; and thus disorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies. A great part, therefore, of my idea of reform is meant to operate gradually; some benefits will come at a nearer, some at a more remote period. We must no more make haste to be rich by parsimony, than by intemperate acquisition.

In my opinion, it is our duty when we have the desires of the people before us, to pursue them, not in the spirit of

literal obedience, which may militate with their very principle, much less to treat them with a peevish and contentious litigation, as if we were adverse parties in a suit. It would, Sir, be most dishonourable for a faithful representative of the commons to take advantage of an inartificial expression of the people's wishes, in order to frustrate their attainment of what they have an undoubted right to expect. We are under infinite obligations to our constituents, who have raised us to so distinguished a trust, and have imparted such a degree of sanctity to common characters. We ought to walk before them with purity, plainness, and integrity of heart; with filial love, and not with slavish fear, which is always a low and trickling thing. For my own part, in what I have meditated upon that subject, I cannot indeed take upon me to say I have the honour *to follow* the sense of the people. The truth is, *I met it on the way*, while I was pursuing their interest according to my own ideas. I am happy beyond expression to find that my intentions have so far coincided with theirs, that I have not had cause to be in the least scrupulous to sign their petition, conceiving it to express my own opinions, as nearly as general terms can express the object of particular arrangements.

I am therefore satisfied to act as a fair mediator between government and the people, endeavouring to form a plan which should have both an early and a temperate operation. I mean, that it should be substantial; that it should be systematic. That it should rather strike at the first cause of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the first of these objects (the proposal of something substantial) that I found myself obliged, at the outset, to reject a plan proposed by an honourable and attentive member of parliament,[1] with very good intentions on his part, about a year or two ago. Sir, the plan I speak of was the tax of 25 *per cent.* moved upon places and pensions during the continuance of the American war.—Nothing, Sir, could have met my ideas more than such a tax if it was considered as a practical satire on that war, and as a penalty upon those who led us into it; but in any other view it appeared to me very liable to objections. I considered the scheme

[1] Thomas Gilbert, Esq., member for Lichfield.

as neither substantial, nor permanent, nor systematical, nor likely to be a corrective of evil influence. I have always thought employments a very proper subject of regulation, but a very ill-chosen subject for a tax. An equal tax upon property is reasonable; because the object is of the same quality throughout. The species is the same, it differs only in its quantity: but a tax upon salaries is totally of a different nature; there can be no equality, and consequently no justice, in taxing them by the hundred in the gross.

We have, Sir, on our establishment, several offices which perform real service—We have also places that provide large rewards for no service at all. We have stations which are made for the public decorum; made for preserving the grace and majesty of a great people—We have likewise expensive formalities, which tend rather to the disgrace than the ornament of the state and the court. This, Sir, is the real condition of our establishments. To fall with the same severity on objects so perfectly dissimilar, is the very reverse of a reformation. I mean a reformation framed, as all serious things ought to be, in number, weight, and measure.—Suppose, for instance, that two men received a salary of £800 a year each.—In the office of one there is nothing at all to be done; in the other, the occupier is oppressed by its duties.—Strike off 25 *per cent.* from these two offices, you take from one man £200, which in justice he ought to have, and you give in effect to the other £600, which he ought not to receive. The public robs the former, and the latter robs the public; and this mode of mutual robbery is the only way in which the office and the public can make up their accounts.

But the balance, in settling the account of this double injustice, is much against the state. The result is short. You purchase a saving of two hundred pounds, by a profusion of six. Besides, Sir, whilst you leave a supply of unsecured money behind, wholly at the discretion of ministers, they make up the tax to such places as they wish to favour, or in such new places as they may choose to create. Thus the civil list becomes oppressed with debt; and the public is obliged to repay, and to repay with a heavy interest, what it has taken by an injudicious tax. Such has been the effect of the taxes hitherto laid on pensions and employments, and it is no encouragement to recur again to the same expedient.

In effect, such a scheme is not calculated to produce, but to prevent, reformation. It holds out a shadow of present gain to a greedy and necessitous public, to divert their attention from those abuses, which in reality are the great causes of their wants. It is a composition to stay inquiry; it is a fine paid by mismanagement, for the renewal of its lease. What is worse, it is a fine paid by industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topic, because (whatever may be given out to the contrary) I know that the noble lord in the blue riband perfectly agrees with me in these sentiments.

After all that I have said on this subject, I am so sensible that it is our duty to try everything which may contribute to the relief of the nation, that I do not attempt wholly to reprobate the idea even of a tax. Whenever, Sir, the encumbrance of useless office (which lies no less a dead weight upon the service of the state, than upon its revenues) shall be removed;—when the remaining offices shall be classed according to the just proportion of their rewards and services, so as to admit the application of an equal rule to their taxation; when the discretionary power over the civil list cash shall be so regulated, that a minister shall no longer have the means of repaying with a private, what is taken by a public, hand—if after all these preliminary regulations, it should be thought that a tax on places is an object worthy of the public attention, I shall be very ready to lend my hand to a reduction of their emoluments.

Having thus, Sir, not so much absolutely rejected, as postponed, the plan of a taxation of office,—my next business was to find something which might be really substantial and effectual. I am quite clear, that if we do not go to the very origin and first ruling cause of grievances, we do nothing. What does it signify to turn abuses out of one door, if we are to let them in at another? What does it signify to promote economy upon a measure, and to suffer it to be subverted in the principle? Our ministers are far from being wholly to blame for the present ill order which prevails. Whilst institutions directly repugnant to good management are suffered to remain, no effectual or lasting reform *can* be introduced.

I therefore thought it necessary, as soon as I conceived

thoughts of submitting to you some plan of reform, to take a comprehensive view of the state of this country; to make a sort of survey of its jurisdictions, its estates, and its establishments. Something, in every one of them, seemed to me to stand in the way of all economy in their administration, and prevented every possibility of methodizing the system. But being, as I ought to be, doubtful of myself, I was resolved not to proceed in an *arbitrary* manner, in any particular which tended to change the settled state of things, or in any degree to affect the fortune or situation, the interest or the importance, of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, tastes, or feelings, of the man who attempts to regulate. These private measures are not standards of the exchequer, nor balances of the sanctuary. General principles cannot be debauched or corrupted by interest or caprice; and by those principles I was resolved to work.

Sir, before I proceed further, I will lay these principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propose it, comes fairly under its rule. This will exceedingly shorten all discussion between us, if we are perfectly in earnest in establishing a system of good management. I therefore lay down to myself seven fundamental rules; they might indeed be reduced to two or three simple maxims; but they would be too general, and their application to the several heads of the business before us would not be so distinct and visible. I conceive then,

First, That all jurisdictions, which furnish more matter of expense, more temptation to oppression, or more means and instruments of corrupt influence, than advantage to justice or political administration, ought to be abolished.

Secondly, That all public estates which are more subservient to the purposes of vexing, overawing, and influencing those who hold under them, and to the expense of perception and management, than of benefit to the revenue, ought, upon every principle both of revenue and of freedom, to be disposed of.

Thirdly, That all offices which bring more charge than proportional advantage to the state; that all offices

which may be ingrafted on others, uniting and simplifying their duties, ought in the first case to be taken away; and in the second, to be consolidated.

Fourthly, That all such offices ought to be abolished, as obstruct the prospect of the general superintendent of finance; which destroy his superintendency, which disable him from foreseeing and providing for charges as they may occur; from preventing expense in its origin, checking it in its progress, or securing its application to its proper purposes. A minister, under whom expenses can be made without his knowledge, can never say what it is that he can spend, or what it is that he can save.

Fifthly, That it is proper to establish an invariable order in all payments; which will prevent partiality; which will give preference to services, not according to the importunity of the demandant, but the rank and order of their utility or their justice.

Sixthly, That it is right to reduce every establishment, and every part of an establishment, (as nearly as possible,) to certainty; the life of all order and good management.

Seventhly, That all subordinate treasuries, as the nurseries of mismanagement, and as naturally drawing to themselves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be dissolved. They have a tendency to perplex and distract the public accounts, and to excite a suspicion of government even beyond the extent of their abuse.

Under the authority and with the guidance of those principles, I proceed; wishing that nothing in any establishment may be changed, where I am not able to make a strong, direct, and solid application of those principles, or of some one of them. An economical constitution is a necessary basis for an economical administration.

First, with regard to the sovereign jurisdictions, I must observe, Sir, that whoever takes a view of this kingdom in a cursory manner will imagine, that he beholds a solid, compacted, uniform system of monarchy; in which all inferior jurisdictions are but as rays diverging from one centre. But on examining it more nearly you find much eccentricity and

confusion. It is not a monarchy in strictness. But, as in the Saxon times this country was an heptarchy, it is now a strange sort of *pentarchy*. It is divided into five several distinct principalities, besides the supreme. There is indeed this difference from the Saxon times, that as in the itinerant exhibitions of the stage, for want of a complete company, they are obliged to throw a variety of parts on their chief performer; so our sovereign condescends himself to act not only the principal, but all the subordinate, parts in the play. He condescends to dissipate the royal character, and to trifle with those light, subordinate, lacquered sceptres in those hands that sustain the ball representing the world, or which wield the trident that commands the ocean. Cross a brook, and you lose the king of England; but you have some comfort in coming again under his Majesty, though "shorn of his beams," and no more than Prince of Wales. Go to the north, and you find him dwindled to a Duke of Lancaster; turn to the west of that north, and he pops upon you in the humble character of Earl of Chester. Travel a few miles on, the Earl of Chester disappears; and the king surprises you again as Count Palatine of Lancaster. If you travel beyond Mount Edgecombe, you find him once more in his incognito, and he is Duke of Cornwall. So that, quite fatigued and satiated with this dull variety, you are infinitely refreshed when you return to the sphere of his proper splendour, and behold your amiable sovereign in his true, simple, undisguised, native character of majesty.

In every one of these five principalities, duchies, palatinates, there is a regular establishment of considerable expense, and most domineering influence. As his Majesty submits to appear in this state of subordination to himself, his loyal peers and faithful commons attend his royal transformations; and are not so nice as to refuse to nibble at those crumbs of emoluments, which console their petty metamorphoses. Thus every one of those principalities has the apparatus of a kingdom, for the jurisdiction over a few private estates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country 'squire. Cornwall is the best of them; but, when you compare the charge with the receipt, you will find that it furnishes no exception to the general rule. The duchy and county

palatine of Lancaster do not yield, as I have reason to believe, on an average of twenty years, four thousand pounds a year clear to the crown. As to Wales, and the county palatine of Chester, I have my doubts whether their productive exchequer yields any returns at all. Yet one may say, that this revenue is more faithfully applied to its purposes than any of the rest; as it exists for the sole purpose of multiplying offices and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the seat behind me, the constitution of Mr. John Probert; a knight-errant dubbed by the noble lord in the blue riband, and sent to search for revenues and adventures upon the mountains of Wales. The commission is remarkable; and the event not less so. The commission sets forth, that "Upon a report of the *deputy auditor* (for there is a deputy auditor) of the principality of Wales, it appeared, that his Majesty's land revenues in the said principalities *are greatly diminished;*"—and "that upon a *report* of the *surveyor-general* of his Majesty's land revenues, upon a *memorial* of the auditor of his Majesty's revenues *within the said principality*, that his mines and forests have produced very *little profit either to the public revenue or to individuals;*"—and therefore they appoint Mr. Probert, with a pension of three hundred pounds a year from the said principality, to try whether he can make anything more of that very *little* which is stated to be so *greatly* diminished. "*A beggarly account of empty boxes.*" And yet, Sir, you will remark—that this diminution from littleness (which serves only to prove the infinite divisibility of matter) was not for want of the tender and officious care (as we see) of surveyors-general and surveyors-particular; of auditors and deputy auditors; not for want of memorials, and remonstrances, and reports, and commissions, and constitutions, and inquisitions, and pensions.

Probert, thus armed, and accoutred—and paid, proceeded on his adventure; but he was no sooner arrived on the confines of Wales, than all Wales was in arms to meet him. That nation is brave and full of spirit. Since the invasion of King Edward, and the massacre of the bards, there never was such a tumult, and alarm, and uproar, through the region of *Prestatyn*. *Snowden* shook to its base; *Cader Idris* was

loosened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goatherds, and the deep caverns vomited out their miners. Everything above ground, and everything under ground, was in arms.

In short, Sir, to alight from my Welsh Pegasus, and to come to level ground; the *Preux Chevalier* Probert went to look for revenue like his masters upon other occasions; and, like his masters, he found rebellion. But we were grown cautious by experience. A civil war of paper might end in a more serious war; for now remonstrance met remonstrance, and memorial was opposed to memorial. The wise Britons thought it more reasonable that the poor, wasted, decrepit revenue of the principality should die a natural than a violent death. In truth, Sir, the attempt was no less an affront upon the understanding of that respectable people, than it was an attack on their property. They chose rather that their ancient, moss-grown castles should moulder into decay, under the silent touches of time, and the slow formality of an oblivious and drowsy exchequer, than that they should be battered down all at once, by the lively efforts of a pensioned engineer. As it is the fortune of the noble lord, to whom the auspices of this campaign belonged, frequently to provoke resistance, so it is his rule and nature to yield to that resistance *in all cases whatsoever*. He was true to himself on this occasion. He submitted with spirit to the spirited remonstrances of the Welsh. Mr. Probert gave up his adventure, and keeps his pension—and so ends "the famous history of the revenue adventures of the bold baron North, and the good knight Probert, upon the mountains of Venodotia."

In such a state is the exchequer of Wales at present, that upon the report of the treasury itself, its *little* revenue is *greatly* diminished; and we see, by the whole of this strange transaction, that an attempt to improve it produces resistance; the resistance produces submission; and the whole ends in pension.[1]

[1] Here Lord North shook his head, and told those who sat near him, that Mr. Probert's pension was to depend on his success. It may be so, Mr. Probert's pension was, however, no essential part of the question; nor did Mr. B. care whether he still possessed it or not. His point was, to show the folly of attempting an improvement of the Welsh revenue under its present establishment

It is nearly the same with the revenues of the duchy of Lancaster. To do nothing with them is extinction; to improve them is oppression. Indeed the whole of the estates, which support these minor principalities, is made up, not of revenues, and rents, and profitable fines, but of claims, of pretensions, of vexations, of litigations. They are exchequers of unfrequent receipt, and constant charge; a system of finances not fit for an economist who would be rich; not fit for a prince who would govern his subjects with equity and justice.

It is not only between prince and subject, that these mock jurisdictions, and mimic revenues, produce great mischief They excite among the people a spirit of informing and delating; a spirit of supplanting and undermining one another. So that many, in such circumstances, conceive it advantageous to them rather to continue subject to vexation themselves, than to give up the means and chance of vexing others. It is exceedingly common for men to contract their love to their country into an attachment to its petty subdivisions; and they sometimes even cling to their provincial abuses, as if they were franchises and local privileges. Accordingly, in places where there is much of this kind of estate, persons will be always found, who would rather trust to their talents in recommending themselves to power for the renewal of their interests, than to encumber their purses, though never so lightly, in order to transmit independence to their posterity. It is a great mistake, that the desire of securing property is universal among mankind. Gaming is a principle inherent in human nature. It belongs to us all. I would therefore break those tables: I would furnish no evil occupation for that spirit. I would make every man look everywhere, except to the intrigue of a court, for the improvement of his circumstances, or the security of his fortune. I have in my eye a very strong case in the duchy of Lancaster (which lately occupied Westminster Hall and the House of Lords) as my voucher for many of these reflections.[1]

For what plausible reason are these principalities suffered to exist? When a government is rendered complex (which in itself is no desirable thing) it ought to be for some

[1] Case of Richard Lee, Esq. appellant, *against* George Venables Lord Vernon, respondent, in the year 1776.

political end which cannot be answered otherwise. Subdivisions in government are only admissible in favour of the dignity of inferior princes, and high nobility; or for the support of an aristocratic confederacy under some head; or for the conservation of the franchises of the people in some privileged province. For the two former of these ends, such are the subdivisions in favour of the electoral and other princes in the empire; for the latter of these purposes, are the jurisdictions of the imperial cities and the Hanse towns. For the latter of these ends are also the countries of the States [*Pais d'Etats*] and certain cities and orders in France. These are all regulations with an object, and some of them with a very good object. But how are the principles of any of these subdivisions applicable in the case before us?

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has since stood.—Lord Coke sagaciously observes upon it, "That in the charter of creating the Black Prince Edward prince of Wales, there is a *great mystery* —for *less* than an estate of inheritance so *great* a prince *could* not have, and an *absolute estate of inheritance* in so *great* a principality as Wales (this principality being *so dear* to him) he *should* not have; and therefore it was made, *sibi et heredibus suis regibus Angliæ*, that by his decease, or attaining to the crown, it might be extinguished in the crown."

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept—and for no other cause that ever I could find—this form and shadow of a principality, without any substance, has been maintained. That you may judge in this instance (and it serves for the rest) of the difference between a great and a little economy, you will please to recollect, Sir, that Wales may be about the tenth part of England in size and population; and certainly not an hundredth part in opulence. Twelve judges perform the whole of the business, both of the stationary and the itinerant justice of this kingdom; but for Wales there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very best and most authentic absurdity of form. There are, in

all of them, a hundred more difficult trifles and laborious fooleries, which serve no other purpose than to keep alive corrupt hope and servile dependence.

These principalities are so far from contributing to the ease of the king, to his wealth, or his dignity, that they render both his supreme and his subordinate authority perfectly ridiculous. It was but the other day, that that pert, factious fellow, the Duke of Lancaster, presumed to fly in the face of his liege lord, our gracious sovereign; and, *associating* with a parcel of lawyers as factious as himself, to the destruction of *all law and order*, and *in committees leading directly to rebellion*—presumed to go to law with the king. The object is neither your business nor mine. Which of the parties got the better, I really forget. I think it was (as it ought to be) the king. The material point is, that the suit cost about fifteen thousand pounds. But as the Duke of Lancaster is but a sort of *Duke Humphrey*, and not worth a groat, our sovereign was obliged to pay the costs of both. Indeed this art of converting a great monarch into a little prince, this royal masquerading, is a very dangerous and expensive amusement; and one of the king's *menus plaisirs*, which ought to be reformed. This duchy, which is not worth four thousand pounds a year at best to *revenue*, is worth forty or fifty thousand to *influence*.

The duchy of Lancaster and the county palatine of Lancaster answered, I admit, some purpose in their original creation. They tended to make a subject imitate a prince. When Henry the Fourth from that stair ascended the throne, high-minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguished in the crown, he severed it by act of parliament. He had a motive, such as it was: he thought his title to the crown unsound, and his possession insecure. He therefore managed a retreat in his duchy; which Lord Coke calls (I do not know why) *par multis regnis*. He flattered himself that it was practicable to make a projecting point half-way down, to break his fall from the precipice of royalty; as if it were possible for one who had lost a kingdom to keep anything else. However, it is evident that he thought so. When Henry the Fifth united, by act of parliament, the estates of his mother to the duchy, he had the same pre-

dilection with his father to the root of his family honours, and the same policy in enlarging the sphere of a possible retreat from the slippery royalty of the two great crowns he held. All this was changed by Edward the Fourth. He had no such family partialities, and his policy was the reverse of that of Henry the Fourth and Henry the Fifth. He accordingly again united the duchy of Lancaster to the crown. But when Henry the Seventh, who chose to consider himself as of the house of Lancaster, came to the throne, he brought with him the old pretensions and the old politics of that house. A new act of parliament, a second time, dissevered the duchy of Lancaster from the crown; and in that line things continued until the subversion of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaster must have been extinguished, if Cromwell, who began to form ideas of aggrandizing his house, and raising the several branches of it, had not caused the duchy to be again separated from the commonwealth, by an act of the parliament of those times.

What partiality, what objects of the politics of the house of Lancaster, or of Cromwell, has his present Majesty or his Majesty's family? What power have they within any of these principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in these principalities? What rights have the subject there, which they have not at least equally in every other part of the nation? These distinctions exist for no good end to the king, to the nobility, or to the people. They ought not to exist at all. If the crown (contrary to its nature, but most conformably to the whole tenor of the advice that has been lately given) should so far forget its dignity as to contend, that these jurisdictions and revenues are estates of private property, I am rather for acting as if that groundless claim were of some weight, than for giving up that essential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the subject has any matter of local accommodation within any of these jurisdictions, it is meant to preserve them; and to improve them, if any improvement can be suggested. As to

the crown reversions or titles upon the property of the people there, it is proposed to convert them from a snare to their independence into a relief from their burthens. I propose, therefore, to unite all the five principalities to the crown, and to its ordinary jurisdiction,—to abolish all those offices that produce an useless and chargeable separation from the body of the people,—to compensate those who do not hold their offices (if any such there are) at the pleasure of the crown,—to extinguish vexatious titles by an act of short limitation,—to sell those unprofitable estates which support useless jurisdictions, and to turn the tenant-right into a fee, on such moderate terms as will be better for the state than its present right, and which it is impossible for any rational tenant to refuse.

As to the duchies, their judicial economy may be provided for without charge. They have only to fall of course into the common county administration. A commission, more or less made or omitted, settles the matter fully. As to Wales, it has been proposed to add a judge to the several courts of Westminster Hall; and it has been considered as an improvement in itself. For my part, I cannot pretend to speak upon it with clearness or with decision; but certainly this arrangement would be more than sufficient for Wales. My original thought was to suppress five of the eight judges; and to leave the chief justice of Chester, with the two senior judges; and, to facilitate the business, to throw the twelve counties into six districts, holding the sessions alternately in the counties of which each district shall be composed. But on this I shall be more clear, when I come to the particular bill.

Sir, the House will now see whether, in praying for judgment against the minor principalities, I do not act in conformity to the laws that I had laid to myself, of getting rid of every jurisdiction more subservient to oppression and expense, than to any end of justice or honest policy; of abolishing offices more expensive than useful; of combining duties improperly separated; of changing revenues, more vexatious than productive, into ready money; of suppressing offices which stand in the way of economy; and of cutting off lurking subordinate treasuries. Dispute the rules; controvert the application; or give your hands to this salutary measure.

Most of the same rules will be found applicable to my second object—*the landed estate of the crown.* A landed estate is certainly the very worst which the crown can possess. All minute and dispersed possessions, possessions that are often of indeterminate value, and which require a continued personal attendance, are of a nature more proper for private management than public administration. They are fitter for the care of a frugal land steward than of an office in the state. Whatever they may possibly have been in other times, or in other countries, they are not of magnitude enough with us, to occupy a public department, nor to provide for a public object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates, even in the management of private affairs, that all dispersed and chargeable estates should be sacrificed to the relief of estates more compact and better circumstanced.

If it be objected, that these lands at present would sell at a low market; this is answered, by showing that money is at a high price. The one balances the other. Lands sell at the current rate; and nothing can sell for more. But be the price what it may, a great object is always answered, whenever any property is transferred from hands that are not fit for that property, to those that are. The buyer and seller must mutually profit by such a bargain; and, what rarely happens in matters of revenue, the relief of the subject will go hand in hand with the profit of the exchequer.

As to the *forest lands*, in which the crown has (where they are not granted or prescriptively held) the *dominion* of the *soil*, and the *vert* and *venison*, that is to say, the timber and the game; and in which the people have a variety of rights, in common of herbage, and other commons, according to the usage of the several forests;—I propose to have those rights of the crown valued as manorial rights are valued on an enclosure; and a defined portion of land to be given for them; which land is to be sold for the public benefit.

As to the timber, I propose a survey of the whole. What is useless for the naval purposes of the kingdom, I would condemn, and dispose of for the security of what may be useful; and to enclose such other parts as may be most fit

to furnish a perpetual supply; wholly extinguishing, for a very obvious reason, all right of *venison* in those parts.

The forests *rights* which extend over the lands and possessions of others, being of no profit to the crown, and a grievance, as far as it goes, to the subject; these I propose to extinguish without charge to the proprietors. The several commons are to be allotted and compensated for, upon ideas which I shall hereafter explain. They are nearly the same with the principles upon which you have acted in private enclosures. I shall never quit precedents where I find them applicable. For those regulations and compensations, and for every other part of the detail, you will be so indulgent as to give me credit for the present.

The revenue to be obtained from the sale of the forest lands and rights will not be so considerable, I believe, as many people have imagined; and I conceive it would be unwise to screw it up to the utmost, or even to suffer bidders to enhance, according to their eagerness, the purchase of objects, wherein the expense of that purchase may weaken the capital to be employed in their cultivation. This, I am well aware, might give room for partiality in the disposal. In my opinion it would be the lesser evil of the two. But I really conceive, that a rule of fair preference might be established, which would take away all sort of unjust and corrupt partiality. The principal revenue, which I propose to draw from these uncultivated wastes, is to spring from the improvement and population of the kingdom; which never can happen without producing an improvement more advantageous to the revenues of the crown, than the rents of the best landed estates which it can hold. I believe, Sir, it will hardly be necessary for me to add, that in this sale I naturally except all the houses, gardens, and parks, belonging to the crown, and such one forest, as shall be chosen by his Majesty, as best accommodated to his pleasures.

By means of this part of the reform, will fall the expensive office of *surveyor-general*, with all the influence that attends it. By this will fall *two chief justices in Eyre*, with all their train of dependents. You need be under no apprehension, Sir, that your office is to be touched in its emoluments; they are yours by law; and they are but a moderate part of

the compensation which is given to you for the ability with which you execute an office of quite another sort of importance; it is far from overpaying your diligence; or more than sufficient for sustaining the high rank you stand in, as the first gentleman of England. As to the duties of your chief justiceship, they are very different from those for which you have received the office. Your dignity is too high for a jurisdiction over wild beasts; and your learning and talents too valuable to be wasted as chief justice of a desert. I cannot reconcile it to myself that you, Sir, should be stuck up as a useless piece of antiquity.

I have now disposed of the unprofitable landed estates of the crown, and thrown them into the mass of private property; by which they will come, through the course of circulation, and through the political secretions of the state, into our better understood and better ordered revenues.

I come next to the great supreme body of the civil government itself. I approach it with that awe and reverence with which a young physician approaches to the cure of the disorders of his parent. Disorders, Sir, and infirmities, there are—such disorders, that all attempts towards method, prudence, and frugality, will be perfectly vain, whilst a system of confusion remains, which is not only alien, but adverse to all economy; a system, which is not only prodigal in its very essence, but causes everything else which belongs to it to be prodigally conducted.

It is impossible, Sir, for any person to be an economist, where no order in payments is established; it is impossible for a man to be an economist, who is not able to take a comparative view of his means, and of his expenses, for the year which lies before him; it is impossible for a man to be an economist, under whom various officers in their several departments may spend,—even just what they please,—and often with an emulation of expense, as contributing to the importance, if not profit, of their several departments. Thus much is certain; that neither the present, nor any other first lord of the treasury, has been ever able to take a survey, or to make even a tolerable guess, of the expenses of government for any one year; so as to enable him with the least degree of certainty, or even probability, to bring his affairs within compass. Whatever scheme may be formed upon

them must be made on a calculation of chances. As things are circumstanced, the first lord of the treasury cannot make an estimate. I am sure I serve the king, and I am sure I assist administration, by putting economy at least in their power. We must *class services;* we must (as far as their nature admits) *appropriate* funds; or everything, however reformed, will fall again into the old confusion.

Coming upon this ground of the civil list, the first thing in dignity and charge that attracts our notice, is the *royal household.* This establishment, in my opinion, is exceedingly abusive in its constitution. It is formed upon manners and customs that have long since expired. In the first place it is formed, in many respects, upon *feudal principles.* In the feudal times, it was not uncommon, even among subjects, for the lowest offices to be held by considerable persons; persons as unfit by their incapacity, as improper from their rank, to occupy such employments. They were held by patent, sometimes for life, and sometimes by inheritance. If my memory does not deceive me, a person of no slight consideration held the office of patent hereditary cook to an Earl of Warwick—The Earl of Warwick's soups, I fear, were not the better for the dignity of his kitchen. I think it was an Earl of Gloucester, who officiated as steward of the household to the Archbishops of Canterbury. Instances of the same kind may in some degree be found in the Northumberland house-book, and other family records. There was some reason in ancient necessities for these ancient customs. Protection was wanted; and the domestic tie, though not the highest, was the closest.

The king's household has not only several strong traces of this *feudality,* but it is formed also upon the principles of a *body corporate;* it has its own magistrates, courts, and by-laws. This might be necessary in the ancient times, in order to have a government within itself, capable of regulating the vast and often unruly multitude which composed and attended it. This was the origin of the ancient court called the *Green Cloth*—composed of the marshal, treasurer, and other great officers of the household, with certain clerks. The rich subjects of the kingdom who had formerly the same establishments (only on a reduced scale) have since altered their economy; and turned the course of their expense from the maintenance

of vast establishments within their walls, to the employment of a great variety of independent trades abroad. Their influence is lessened; but a mode of accommodation, and a style of splendour, suited to the manners of the times, has been increased. Royalty itself has insensibly followed; and the royal household has been carried away by the resistless tide of manners: but with this very material difference;—private men have got rid of the establishments along with the reasons of them; whereas the royal household has lost all that was stately and venerable in the antique manners, without retrenching anything of the cumbrous charge of a Gothic establishment. It is shrunk into the polished littleness of modern elegance and personal accommodation; it has evaporated from the gross concrete into an essence and rectified spirit of expense, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reason of old establishments is gone, it is absurd to preserve nothing but the burthen of them. This is superstitiously to embalm a carcass not worth an ounce of the gums that are used to preserve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead,—not so much an honour to the deceased, as a disgrace to the survivors. Our palaces are vast inhospitable halls. There the bleak winds, there "Boreas, and Eurus, and Caurus, and Argestes loud," howling through the vacant lobbies, and clattering the doors of deserted guard-rooms, appal the imagination, and conjure up the grim spectres of departed tyrants—the Saxon, the Norman, and the Dane; the stern Edwards and fierce Henries—who stalk from desolation to desolation, through the dreary vacuity and melancholy succession of chill and comfortless chambers. When this tumult subsides, a dead and still more frightful silence would reign in this desert, if every now and then the tacking of hammers did not announce, that those constant attendants upon all courts in all ages, Jobs, were still alive; for whose sake alone it is, that any trace of ancient grandeur is suffered to remain. These palaces are a true emblem of some governments; the inhabitants are decayed, but the governors and magistrates still flourish. They put me in mind of *Old Sarum*, where the representatives, more in number than the constituents, only serve to inform us, that this was once a place of trade,

and sounding with "the busy hum of men," though now you can only trace the streets by the colour of the corn; and its sole manufacture is in members of parliament.

These old establishments were formed also on a third principle, still more adverse to the living economy of the age. They were formed, Sir, on the principle of *purveyance*, and *receipt in kind*. In former days, when the household was vast, and the supply scanty and precarious, the royal purveyors, sallying forth from under the Gothic portcullis, to purchase provision with power and prerogative instead of money, brought home the plunder of a hundred markets, and all that could be seized from a flying and hiding country, and deposited their spoil in a hundred caverns, with each its keeper. There every commodity, received in its rawest condition, went through all the process which fitted it for use. This inconvenient receipt produced an economy suited only to itself. It multiplied offices beyond all measure; buttery, pantry, and all that rabble of places, which, though profitable to the holders, and expensive to the state, are almost too mean to mention.

All this might be, and I believe was, necessary at first; for it is remarkable, that *purveyance*, after its regulation had been the subject of a long line of statutes, (not fewer, I think, than twenty-six,) was wholly taken away by the twelfth of Charles the Second; yet in the next year of the same reign, it was found necessary to revive it by a special act of parliament, for the sake of the king's journies. This, Sir, is curious; and what would hardly be expected in so reduced a court as that of Charles the Second, and in so improved a country as England might then be thought. But so it was. In our time, one well-filled and well-covered stage-coach requires more accommodation than a royal progress; and every district, at an hour's warning, can supply an army.

I do not say, Sir, that all these establishments, whose principle is gone, have been systematically kept up for influence solely: neglect had its share. But this I am sure of, that a consideration of influence has hindered any one from attempting to pull them down. For the purposes of influence, and for those purposes only, are retained half at least of the household establishments. No revenue, no, not a royal revenue, can exist under the accumulated charge of ancient

establishment, modern luxury, and parliamentary political corruption.

If therefore we aim at regulating this household, the question will be, whether we ought to economize by *detail* or by *principle?* The example we have had of the success of an attempt to economize by detail, and under establishments adverse to the attempt, may tend to decide this question.

At the beginning of his Majesty's reign Lord Talbot came to the administration of a great department in the household. I believe no man ever entered into his Majesty's service, or into the service of any prince, with a more clear integrity, or with more zeal and affection for the interest of his master; and, I must add, with abilities for a still higher service. Economy was then announced as a maxim of the reign. This noble lord, therefore, made several attempts towards a reform. In the year 1777, when the king's civil list debts came last to be paid, he explained very fully the success of his undertaking. He told the House of Lords, that he had attempted to reduce the charges of the king's tables, and his kitchen.—The thing, Sir, was not below him. He knew that there is nothing interesting in the concerns of men, whom we love and honour, that is beneath our attention.—"Love," says one of our old poets, "esteems no office mean;" and with still more spirit, "entire affection scorneth nicer hands." Frugality, Sir, is founded on the principle, that all riches have limits. A royal household, grown enormous, even in the meanest departments, may weaken and perhaps destroy all energy in the highest offices of the state. The gorging a royal kitchen may stint and famish the negotiations of a kingdom. Therefore the object was worthy of his, was worthy of any man's, attention.

In consequence of this noble lord's resolution, (as he told the other House,) he reduced several tables, and put the persons entitled to them upon board wages, much to their own satisfaction. But unluckily, subsequent duties requiring constant attendance, it was not possible to prevent their being fed where they were employed—and thus this first step towards economy doubled the expense.

There was another disaster far more doleful than this. I shall state it, as the cause of that misfortune lies at the bottom of almost all our prodigality. Lord Talbot attempted

to reform the kitchen; but such, as he well observed, is the consequence of having duty done by one person, whilst another enjoys the emoluments, that he found himself frustrated in all his designs. On that rock his whole adventure split—His whole scheme of economy was dashed to pieces; his department became more expensive than ever;—the civil list debt accumulated—Why? It was truly from a cause, which, though perfectly adequate to the effect, one would not have instantly guessed;—It was because the *turnspit in the king's kitchen was a member of parliament.*[1] The king's domestic servants were all undone; his tradesmen remained unpaid, and became bankrupt—*because the turnspit of the king's kitchen was a member of parliament.* His Majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken—*because the king's turnspit was a member of parliament.* The judges were unpaid; the justice of the kingdom bent and gave way; the foreign ministers remained inactive and unprovided; the system of Europe was dissolved; the chain of our alliances was broken; all the wheels of government at home and abroad were stopped—*because the king's turnspit was a member of parliament.*

Such, Sir, was the situation of affairs, and such the cause of that situation, when his Majesty came a second time to parliament, to desire the payment of those debts which the employment of its members in various offices, visible and invisible, had occasioned. I believe that a like fate will attend every attempt at economy by detail, under similar circumstances, and in every department. A complex, operose office of account and control is, in itself, and even if members of parliament had nothing to do with it, the most prodigal of all things. The most audacious robberies, or the most subtle frauds, would never venture upon such a waste, as an overcareful, detailed guard against them would infallibly produce. In our establishments, we frequently see an office of account, of a hundred pounds a year expense, and another office of an equal expense, to control that office; and the whole upon a matter that is not worth twenty shillings.

To avoid, therefore, this minute care which produces the

[1] Vide Lord Talbot's speech in Almond's Parliamentary Register, vol. vii p. 79, of the proceedings of the Lords.

consequences of the most extensive neglect, and to oblige members of parliament to attend to public cares, and not to the servile offices of domestic management, I propose, Sir, to *economize by principle*, that is, I propose to put affairs into that train which experience points out as the most effectual, from the nature of things, and from the constitution of the human mind. In all dealings where it is possible, the principles of radical economy prescribe three things; first, undertaking by the great; secondly, engaging with persons of skill in the subject matter; thirdly, engaging with those who shall have an immediate and direct interest in the proper execution of the business.

To avoid frittering and crumbling down the attention by a blind, unsystematic observance of every trifle, it has ever been found the best way to do all things which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have so pervaded every species of dealing, from the highest to the lowest objects; all transactions are got so much into system, that we may, at a moment's warning, and to a farthing value, be informed at what rate any service may be supplied. No dealing is exempt from the possibility of fraud. But by a contract on a matter certain, you have this advantage—you are sure to know the utmost *extent* of the fraud to which you are subject. By a contract with a person in *his own trade*, you are sure you shall not suffer by *want of skill*. By a *short* contract you are sure of making it the *interest* of the contractor to exert that skill for the satisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the present, or of any former, board of Green Cloth. But what skill can members of parliament obtain in that low kind of province? What pleasure can they have in the execution of that kind of duty? And, if they should neglect it, how does it affect their interest, when we know that it is their vote in parliament, and not their diligence in cookery or catering, that recommends them to their office, or keeps them in it?

I therefore propose, that the king's tables (to whatever number of tables, or covers to each, he shall think proper to command) should be classed by the steward of the house-

hold, and should be contracted for, according to their rank, by the head or cover;—that the estimate and circumstance of the contract should be carried to the treasury to be approved; and that its faithful and satisfactory performance should be reported there previously to any payment; that there, and there only, should the payment be made. I propose, that men should be contracted with only in their proper trade; and that no member of parliament should be capable of such contract. By this plan, almost all the infinite offices under the lord steward may be spared; to the extreme simplification, and to the far better execution, of every one of his functions. The king of Prussia is so served. He is a great and eminent (though indeed a very rare) instance of the possibility of uniting, in a mind of vigour and compass, an attention to minute objects with the largest views, and the most complicated plans. His tables are served by contract, and by the head. Let me say, that no prince can be ashamed to imitate the king of Prussia; and particularly to learn in his school, when the problem is—"The best manner of reconciling the state of a court with the support of war?" Other courts, I understand, have followed him with effect, and to their satisfaction.

The same clue of principle leads us through the labyrinth of the other departments. What, Sir, is there in the office of *the great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain himself?* He has an honourable appointment; he has time sufficient to attend to the duty; and he has the vice-chamberlain to assist him. Why should not he deal also by contract for all things belonging to this office, and carry his estimates first, and his report of the execution in its proper time, for payment, directly to the board of treasury itself? By a simple operation (containing in it a treble control) the expenses of a department, which for naked walls, or walls hung with cobwebs, has in a few years cost the crown £150,000, may at length hope for regulation. But, Sir, the office and its business are at variance. As it stands, it serves not to furnish the palace with its hangings, but the parliament with its dependent members.

To what end, Sir, does the office of *removing wardrobe* serve at all? Why should a *jewel office* exist for the sole purpose

of taxing the king's gifts of plate? Its object falls naturally within the *chamberlain's* province; and ought to be under his care and inspection without any fee. Why should an office of the *robes* exist, when that of *groom of the stole* is a sinecure, and that this is a proper object of his department?

All these encumbrances, which are themselves nuisances, produce other encumbrances and other nuisances. For the payment of these useless establishments, there are no less than *three useless treasurers;* two to hold a purse, and one to play with a stick. The treasurer of the household is a mere name. The cofferer and the treasurer of the chamber receive and pay great sums, which it is not at all necessary *they* should either receive or pay. All the proper officers, servants, and tradesmen, may be enrolled in their several departments, and paid in proper classes and times with great simplicity and order, at the exchequer, and by direction from the treasury.

The *board of works,* which in the seven years preceding 1777, has cost towards £400,000;[1] and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill-contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expense.—For all this expense, we do not see a building of the size and importance of a pigeon-house. Buckingham House was reprised by a bargain with the public for one hundred thousand pounds;—and the small house at Windsor has been, if I mistake not, undertaken since that account was brought before us. The good works of that board of works, are as carefully concealed as other good works ought to be; they are perfectly invisible. But though it is the perfection of charity to be concealed, it is, Sir, the property and glory of magnificence to appear and stand forward to the eye.

That board, which ought to be a concern of builders and such like, and of none else, is turned into a junto of members of parliament. That office too has a *treasury* and a paymaster of its own; and, lest the arduous affairs of that important exchequer should be too fatiguing, that paymaster has a deputy to partake of his profits and relieve his cares.

[1] More exactly, £378,616 10*s.* 1½*d.*

I do not believe, that, either now or in former times, the chief managers of that board have made any profit of its abuse. It is, however, no good reason that an abusive establishment should subsist, because it is of as little private as of public advantage. But this establishment has the grand radical fault, the original sin, that pervades and perverts all our establishments;—the apparatus is not fitted to the object, nor the workmen to the work. Expenses are incurred on the private opinion of an inferior establishment, without consulting the principal; who can alone determine the proportion which it ought to bear to the other establishments of the state, in the order of their relative importance.

I propose, therefore, along with the rest, to pull down this whole ill-contrived scaffolding, which obstructs, rather than forwards, our public works; to take away its treasury; to put the whole into the hands of a real builder, who shall not be a member of parliament; and to oblige him, by a previous estimate and final payment, to appear twice at the treasury before the public can be loaded. The king's gardens are to come under a similar regulation.

The *mint*, though not a department of the household, has the same vices. It is a great expense to the nation, chiefly for the sake of members of parliament. It has its officers of parade and dignity. It has its treasury too. It is a sort of corporate body; and formerly was a body of great importance; as much so on the then scale of things, and the then order of business, as the bank is at this day. It was the great centre of money transactions and remittances for our own, and for other nations; until King Charles the First, among other arbitrary projects, dictated by despotic necessity, made him withhold the money that lay there for remittance. That blow (and happily too) the mint never recovered. Now it is no bank; no remittance-shop. The mint, Sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establish-

ment, not well suited to its martial, though exceedingly well calculated for its parliamentary, purposes.—Here there is a *treasury*, as in all the other inferior departments of government. Here the military is subordinate to the civil, and the naval confounded with the land service. The object indeed is much the same in both. But, when the detail is examined, it will be found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together) is their natural order; to restore them to their just proportion, and to their just distribution. I propose, in this military concern, to render the civil subordinate to the military; and this will annihilate the greatest part of the expense, and all the influence belonging to the office. I propose to send the military branch to the army, and the naval to the admiralty: and I intend to perfect and accomplish the whole detail (where it becomes too minute and complicated for legislature, and requires exact, official, military, and mechanical knowledge) by a commission of competent officers in both departments. I propose to execute by contract, what by contract can be executed; and to bring, as much as possible, all estimates to be previously approved, and finally to be paid by the treasury.

Thus by following the course of nature, and not the purposes of politics, or the accumulated patch-work of occasional accommodation, this vast expensive department may be methodized; its service proportioned to its necessities, and its payments subjected to the inspection of the superior minister of finance; who is to judge of it on the result of the total collected exigences of the state. This last is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By these regulations taken together—besides the three subordinate treasuries in the lesser principalities, five other subordinate treasuries are suppressed. There is taken away the whole *establishment of detail* in the household;—the *treasurer;* the *comptroller* (for a comptroller is hardly necessary where there is no treasurer); the *cofferer of the household;* the *treasurer of the chamber;* the *master of the household;* the whole *board of Green Cloth;*—and a vast number of subordinate offices in the department of the *steward of the household;*—the whole establishment of the *great wardrobe;*

—the *removing wardrobe;*—the *jewel office;*—the *robes;*—the *board of works;* almost the whole charge of the *civil branch* of the *board of ordnance* are taken away. All these arrangements together will be found to relieve the nation from a vast weight of influence, without distressing, but rather by forwarding every public service. When something of this kind is done, then the public may begin to breathe. Under other governments, a question of expense is only a question of economy, and it is nothing more; with us, in every question of expense, there is always a mixture of constitutional considerations.

It is, Sir, because I wish to keep this business of subordinate treasuries as much as I can together, that I brought the *ordnance office* before you, though it is properly a military department. For the same reason I will now trouble you with my thoughts and propositions upon two of the greatest *under treasuries,* I mean the office of *paymaster of the land forces,* or *treasurer of the army,* and that of the *treasurer of the navy.* The former of these has long been a great object of public suspicion and uneasiness. Envy too has had its share in the obloquy which is cast upon this office. But I am sure that it has no share at all in the reflections I shall make upon it, or in the reformations that I shall propose. I do not grudge to the honourable gentleman, who at present holds the office, any of the effects of his talents, his merit, or his fortune. He is respectable in all these particulars. I follow the constitution of the office without persecuting its holder. It is necessary in all matters of public complaint, where men frequently feel right and argue wrong, to separate prejudice from reason; and to be very sure, in attempting the redress of a grievance, that we hit upon its real seat, and its true nature. Where there is an abuse of office, the first thing that occurs in heat is to censure the officer. Our natural disposition leads all our inquiries rather to persons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office* (as an office) are not too great, in my opinion, for its duties, and for the rank of the person who has generally held it. He has been generally a person of the highest rank; that is to say, a person of eminence and consideration in this House. The great and

the invidious profits of the pay-office are from the *bank* that is held in it. According to the present course of the office, and according to the present mode of accounting there, this bank must necessarily exist somewhere. Money is a productive thing; and when the usual time of its demand can be tolerably calculated, it may, with prudence, be safely laid out to the profit of the holder. It is on this calculation that the business of banking proceeds. But no profit can be derived from the use of money, which does not make it the interest of the holder to delay his account. The process of the exchequer colludes with this interest. Is this collusion from its want of rigour and strictness, and great regularity of form? The reverse is true. They have in the exchequer brought rigour and formalism to their ultimate perfection. The process against accountants is so rigorous, and in a manner so unjust, that correctives must, from time to time, be applied to it. These correctives being discretionary, upon the case, and generally remitted by the barons to the lords of the treasury, as the best judges of the reasons for respite, hearings are had; delays are produced; and thus the extreme of rigour in office (as usual in all human affairs) leads to the extreme of laxity. What with the interested delay of the officer; the ill-conceived exactness of the court; the applications for dispensations from that exactness; the revival of rigorous process, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, such delays happen in the public accounts, that they can scarcely ever be closed.

Besides, Sir, they have a rule in the exchequer, which, I believe, they have founded upon a very ancient statute, that of the 51st of Henry III., by which it is provided, "That when a sheriff or bailiff hath began his account, none other shall be received to account until he that was first appointed hath clearly accounted, and that the sum has been received."[1] Whether this clause of that statute be the ground of that absurd practice, I am not quite able to ascertain. But it has very generally prevailed, though I am told that of late they have began to relax from it. In consequence of forms ad-

[1] Et quant viscount ou bailliff ait commence de accompter, nul autre ne seit resceu de acconter tanque le primer qe soit assis, eit peraccompte, et qe la somme soit resceu. Stat. 5, ann. dom. 1266.

verse to substantial account, we have a long succession of paymasters and their representatives, who have never been admitted to account, although perfectly ready to do so.

As the extent of our wars has scattered the accountants under the paymaster into every part of the globe, the grand and sure paymaster, Death, in all his shapes, calls these accountants to another reckoning. Death, indeed, domineers over everything but the forms of the exchequer. Over these he has no power. They are impassive and immortal. The audit of the exchequer, more severe than the audit to which the accountants are gone, demands proofs which in the nature of things are difficult, sometimes impossible to be had. In this respect too, rigour, as usual, defeats itself. Then, the exchequer never gives a particular receipt, or clears a man of his account as far as it goes. A final acquittance (or a *quietus*, as they term it) is scarcely ever to be obtained. Terrors and ghosts of unlaid accountants haunt the houses of their children from generation to generation. Families, in the course of succession, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians and faithless stewards. So that the demand remains, when the advantage of the money is gone; if ever any advantage at all has been made of it. This is a cause of infinite distress to families; and becomes a source of influence to an extent that can scarcely be imagined, but by those who have taken some pains to trace it. The mildness of government, in the employment of useless and dangerous powers, furnishes no reason for their continuance.

As things stand, can you in justice (except perhaps in that over-perfect kind of justice which has obtained, by its merits, the title of the opposite vice[1]) insist, that any man should, by the course of his office, keep a *bank* from whence he is to derive no advantage? That a man should be subject to demands below, and be in a manner refused an acquittance above; that he should transmit an original sin, an inheritance of vexation, to his posterity, without a power of compensating himself in some way or other, for so perilous a situation? We know, that if the paymaster should deny himself the advantages of his bank, the public, as things

[1] Summum jus summa injuria.

stand, is not the richer for it by a single shilling. This I thought it necessary to say, as to the offensive magnitude of the profits of this office; that we may proceed in reformation on the principles of reason, and not on the feelings of envy.

The treasurer of the navy is, *mutatis mutandis*, in the same circumstances. Indeed all accountants are. Instead of the present mode, which is troublesome to the officer, and unprofitable to the public, I propose to substitute something more effectual than rigour, which is the worst exactor in the world. I mean to remove the very temptations to delay; to facilitate the account; and to transfer this bank, now of private emolument, to the public. The crown will suffer no wrong at least from the pay-offices; and its terrors will no longer reign over the families of those who hold, or have held them. I propose that these offices should be no longer *banks* or *treasuries*, but mere *offices of administration*.—I propose, first, that the present paymaster and the treasurer of the navy should carry into the exchequer the whole body of the vouchers for what they have paid over to deputy paymasters, to regimental agents, or to any of those to whom they have and ought to have paid money. I propose that those vouchers shall be admitted as actual payments in their accounts; and that the persons to whom the money has been paid shall then stand charged in the exchequer in their place. After this process, they shall be debited or charged for nothing but the money balance that remains in their hands.

I am conscious, Sir, that if this balance (which they could not expect to be so suddenly demanded by any usual process of the exchequer) should now be exacted all at once, not only their ruin, but a ruin of others to an extent which I do not like to think of, but which I can well conceive, and which you may well conceive, might be the consequence. I told you, Sir, when I promised before the holidays to bring in this plan, that I never would suffer any man, or description of men, to suffer from errors that naturally have grown out of the abusive constitution of those offices which I propose to regulate. If I cannot reform with equity, I will not reform at all.

For the regulation of past accounts, I shall therefore propose such a mode, as men, temperate and prudent, make use of in the management of their private affairs, when their ac-

counts are various, perplexed, and of long standing. I would therefore, after their example, divide the public debts into three sorts; good, bad, and doubtful. In looking over the public accounts, I should never dream of the blind mode of the exchequer, which regards things in the abstract, and knows no difference in the quality of its debts, or the circumstances of its debtors. By this means, it fatigues itself; it vexes others; it often crushes the poor; it lets the rich escape; or, in a fit of mercy or carelessness, declines all means of recovering its just demands. Content with the eternity of its claims, it enjoys its epicurean divinity with epicurean languor. But it is proper that all sorts of accounts should be closed some time or other—by payment; by composition; or by oblivion. *Expedit reipublicæ ut sit finis litium.* Constantly taking along with me, that an extreme rigour is sure to arm everything against it, and at length to relax into a supine neglect, I propose, Sir, that even the best, soundest, and the most recent debts, should be put into instalments, for the mutual benefit of the accountant and the public.

In proportion, however, as I am tender of the past, I would be provident of the future. All money that was formerly impressed to the two great *pay-offices*, I would have impressed in future to the *bank of England*. These offices should, in future, receive no more than cash sufficient for small payments. Their other payments ought to be made by drafts on the bank, expressing the service. A check account from both offices, of drafts and receipts, should be annually made up in the exchequer; charging the bank in account with the cash-balance, but not demanding the payment until there is an order from the treasury, in consequence of a vote of parliament.

As I did not, Sir, deny to the paymaster the natural profits of the bank that was in his hands; so neither would I to the bank of England. A share of that profit might be derived to the public in various ways. My favourite mode is this; that, in compensation for the use of this money, the bank may take upon themselves, first, *the charge of the mint;* to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coined.

In the next place, I mean that they should take upon themselves the charge of *remittances to our troops abroad.*

This is a species of dealing from which, by the same charter, they are not debarred. One and a quarter *per cent.* will be saved instantly thereby to the public, on very large sums of money. This will be at once a matter of economy, and a considerable reduction of influence, by taking away a private contract of an expensive nature. If the bank, which is a great corporation, and of course receives the least profits from the money in their custody, should of itself refuse, or be persuaded to refuse, this offer upon those terms, I can speak with some confidence, that one at least, if not both parts of the condition would be received, and gratefully received, by several bankers of eminence. There is no banker who will not be at least as good security as any paymaster of the forces, or any treasurer of the navy, that have ever been bankers to the public: as rich at least as my Lord Chatham, or my Lord Holland, or either of the honourable gentlemen who now hold the offices, were at the time that they entered into them; or as ever the whole establishment of the *mint* has been at any period.

These, Sir, are the outlines of the plan I mean to follow, in suppressing these two large subordinate treasuries. I now come to another subordinate treasury; I mean, that of the *paymaster of the pensions;* for which purpose I re-enter the limits of the civil establishment.—I departed from those limits in pursuit of a principle; and, following the same game in its doubles, I am brought into those limits again. That treasury, and that office, I mean to take away; and to transfer the payment of every name, mode, and denomination of pensions, to the *exchequer*. The present course of diversifying the same object can answer no good purpose; whatever its use may be to purposes of another kind. There are also other lists of pensions; and I mean that they should all be hereafter paid at one and the same place. The whole of the new consolidated list I mean to reduce to £60,000 a year, which sum I intend it shall never exceed. I think that sum will fully answer as a reward for all real merit, and a provision for all real public charity that is ever like to be placed upon the list. If any merit of an extraordinary nature should emerge before that reduction is completed, I have left it open for an address of either House

of Parliament to provide for the case. To all other demands, it must be answered, with regret, but with firmness, "the public is poor."

I do not propose, as I told you before Christmas, to take away any pension. I know that the public seem to call for a reduction of such of them as shall appear unmerited. As a censorial act, and punishment of an abuse, it might answer some purpose. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot stop for such an inquiry. I know some gentlemen may blame me. It is with great submission to better judgments that I recommend it to consideration; that a critical retrospective examination of the pension list, upon the principle of merit, can never serve for my basis.—It cannot answer, according to my plan, any effectual purpose of economy or of future permanent reformation. The process in any way will be entangled and difficult; and it will be infinitely slow: there is a danger that if we turn our line of march, now directed towards the grand object, into this more laborious than useful detail of operations, we shall never arrive at our end.

The king, Sir, has been by the constitution appointed sole judge of the merit for which a pension is to be given. We have a right, undoubtedly, to canvass this, as we have to canvass every act of government. But there is a material difference between an office to be reformed, and a pension taken away for demerit. In the former case, no charge is implied against the holder; in the latter, his character is slurred, as well as his lawful emolument affected. The former process is against the thing; the second against the person. The pensioner certainly, if he pleases, has a right to stand on his own defence; to plead his possession; and to bottom his title in the competency of the crown to give him what he holds. Possessed and on the defensive as he is, he will not be obliged to prove his special merit, in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so, from the natural force of all legal presumption, he would put us to the difficult proof, that he has no merit at all. But other questions would arise in the course

of such an inquiry; that is, questions of the merit when weighed against the proportion of the reward; then the difficulty will be much greater.

The difficulty will not, Sir, I am afraid, be much less, if we pass to the person really guilty, in the question of an unmerited pension; the minister himself. I admit that when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative; and to state the merit for which the pension is given; though on the pensioner himself such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come in either of these ways may appear the most grossly unmerited of any. But the minister may very possibly show that he knows nothing of the putting on this pension—that it was prior in time to his administration—that the minister who laid it on is dead: and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones, I doubt not, would appear; and to the correction of which I would readily give my hand; but, when I consider that pensions have not generally been affected by the revolutions of ministry, as I know not where such inquiries would stop, and as an absence of merit is a negative and loose thing, one might be led to derange the order of families, founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent course, not to follow the letter of the petitions. If we fix this mode of inquiry as a basis, we shall, I fear, end as parliament has often ended under similar circumstances. There will be great delay; much confusion; much inequality in our proceedings. But what presses me most of all is this; that though we should strike off all the unmerited pensions, while the power of the crown remains unlimited, the very same undeserving persons might afterwards return to the very same list; or, if they did not, other persons, meriting as little as they do, might be put upon it to an undefinable amount. This I think is the pinch of the grievance.

For these reasons, Sir, I am obliged to waive this mode of

proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that, when I know of an establishment which may be subservient to useful purposes, and which, at the same time, from its discretionary nature, is liable to a very great perversion from those purposes, *I would limit the quantity of the power that might be so abused.* For I am sure, that, in all such cases, the rewards of merit will have very narrow bounds; and that partial or corrupt favour will be infinite. This principle is not arbitrary; but the limitation of the specific quantity must be so in some measure. I therefore state £60,000, leaving it open to the House to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations, which have been laid before us, amount, for a period of seven years, to considerably more than £100,000 a year. To what the other lists amount, I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the public, at one time or other, of £40,000 a year, and we had better, in my opinion, let it fall in naturally, than tear it crude and unripe from the stalk.[1]

There is a great deal of uneasiness among the people, upon an article which I must class under the head of pensions. I mean the *great patent offices in the exchequer.* They are in reality and substance no other than pensions, and in no other light shall I consider them. They are sinecures. They are always executed by deputy. The duty of the principal is as nothing. They differ however from the pensions on the list, in some particulars. They are held for life. I think, with the public, that the profits of those places are grown enormous; the magnitude of those profits, and the nature of them, both call for reformation. The nature of their profits, which grow out of the public distress, is itself invidious and grievous. But I fear that reform cannot be immediate.

[1] It was supposed by the lord advocate, in a subsequent debate, that Mr. Burke, because he objected to an inquiry into the pension list for the purpose of economy and relief of the public, would have it withheld from the judgment of parliament for all purposes whatsoever. This learned gentleman certainly misunderstood him. His plan shows that he wished the whole list to be easily accessible; and he knows that the public eye is of itself a great guard against abuse.

I find myself under a restriction. These places, and others of the same kind, which are held for life, have been considered as property. They have been given as a provision for children; they have been the subject of family settlements; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of public convenience, we shall have no longer anything certain among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power, and what discretion, it is that will prevail at last. It would be wise to attend upon the order of things; and not to attempt to outrun the slow, but smooth and even, course of nature. There are occasions, I admit, of public necessity, so vast, so clear, so evident, that they supersede all laws. Law, being only made for the benefit of the community, cannot in any one of its parts resist a demand which may comprehend the total of the public interest. To be sure, no law can set itself up against the cause and reason of all law. But such a case very rarely happens; and this most certainly is not such a case. The mere time of the reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows; but the commonwealth is fixed and stable. The difference, therefore, of to-day and to-morrow, which to private people is immense, to the state is nothing. At any rate, it is better, if possible, to reconcile our economy with our laws, than to set them at variance; a quarrel which in the end must be destructive to both.

My idea, therefore, is to reduce those officers to fixed salaries, as the present lives and reversions shall successively fall. I mean that the office of the great auditor (the auditor of the receipt) shall be reduced to £3000 a year; and the auditors of the imprest, and the rest of the principal officers, to fixed appointments of £1500 a year each. It will not be difficult to calculate the value of this fall of lives to the public, when we shall have obtained a just account of the present income of those places; and we shall obtain that account with great facility, if the present possessors are not alarmed with any apprehension of danger to their freehold office.

I know too, that it will be demanded of me, how it comes,

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that since I admit these offices to be no better than pensions, I choose, after the principle of law had been satisfied, to retain them at all? To this, Sir, I answer, that conceiving it to be a fundamental part of the constitution of this country, and of the reason of state in every country, that there must be means of rewarding public service, those means will be incomplete, and indeed wholly insufficient for that purpose, if there should be no further reward for that service, than the daily wages it receives during the pleasure of the crown.

Whoever seriously considers the excellent argument of Lord Somers, in the banker's case, will see he bottoms himself upon the very same maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England,[1] contrary to the maxim of the law in France, he lays in the constitutional policy of furnishing a permanent reward to public service; of making that reward the origin of families; and the foundation of wealth as well as of honours. It is indeed the only genuine, unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole structure. The other judges who held the same doctrine went beyond Lord Somers with regard to the remedy, which they thought was given by law against the crown, upon the grant of pensions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition, and the just rewards of public service, what infinite mischief he may do his country, through all generations. Such saving to the public may prove the worst mode of robbing it. The crown, which has in its hands the trust of the daily pay for national service, ought to have in its hands also the means for the repose of public labour, and the fixed settlement of acknowledged merit. There is a time, when the weather-beaten vessels of the state ought to come into harbour. They must at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconstancy of the people. Many of the persons, who in all times have filled the great offices of state, have been younger brothers, who had originally little, if any, fortune. These offices do not furnish the means of amassing wealth. There ought to be some power in the

[1] Before the statute of Queen Anne, which limited the alienation of land.

crown of granting pensions out of the reach of its own caprices. An entail of dependence is a bad reward of merit.

I would, therefore, leave to the crown the possibility of conferring some favours which, whilst they are received as a reward, do not operate as corruption. When men receive obligations from the crown, through the pious hands of fathers, or of connexions as venerable as the paternal, the dependencies which arise from thence are the obligations of gratitude, and not the fetters of servility. Such ties originate in virtue, and they promote it. They continue men in those habitudes of friendship, those political connexions, and those political principles, in which they began life. They are antidotes against a corrupt levity, instead of causes of it. What an unseemly spectacle would it afford, what a disgrace would it be to the commonwealth that suffered such things, to see the hopeful son of a meritorious minister begging his bread at the door of that treasury, from whence his father dispensed the economy of an empire, and promoted the happiness and glory of his country! Why should he be obliged to prostrate his honour, and to submit his principles at the levee of some proud favourite, shouldered and thrust aside by every impudent pretender, on the very spot where a few days before he saw himself adored?—obliged to cringe to the author of the calamities of his house, and to kiss the hands that are red with his father's blood?—No, Sir, these things are unfit—they are intolerable.

Sir, I shall be asked, why I do not choose to destroy those offices which are pensions, and appoint pensions under the direct title in their stead? I allow that in some cases it leads to abuse; to have things appointed for one purpose and applied to another. I have no great objection to such a change: but I do not think it quite prudent for me to propose it. If I should take away the present establishment, the burthen of proof rests upon me, that so many pensions, and no more, and to such an amount each, and no more, are necessary for the public service. This is what I can never prove; for it is a thing incapable of definition. I do not like to take away an object that I think answers my purpose, in hopes of getting it back again in a better shape. People will bear an old establishment when its excess is corrected, who will revolt at a new one. I do not think these office-pensions to be more

in number than sufficient: but on that point the House will exercise its discretion. As to abuse, I am convinced that very few trusts in the ordinary course of administration have admitted less abuse than this. Efficient ministers have been their own paymasters. It is true. But their very partiality has operated as a kind of justice; and still it was service that was paid. When we look over this exchequer list, we find it filled with the descendants of the Walpoles, of the Pelhams, of the Townshends; names to whom this country owes its liberties; and to whom his Majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds came to a certain duke,[1] who is now probably sitting quietly at a very good dinner directly under us, and acting *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sounds, and talking of hungry economy over his head. But he is the elder branch of an ancient and decayed house, joined to and repaired by the reward of services done by another. I respect the original title, and the first purchase of merited wealth and honour through all its descents, through all its transfers, and all its assignments. May such fountains never be dried up! May they ever flow with their original purity, and refresh and fructify the commonwealth, for ages!

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law; the rules of policy; and the service of the state. This is the reason why I am not able to intermeddle with another article, which seems to be a specific object in several of the petitions; I mean the reduction of exorbitant emoluments to efficient offices. If I knew of any real, efficient office, which did possess exorbitant emoluments, I should be extremely desirous of reducing them. Others may know of them; I do not. I am not possessed of an exact common measure between real service and its reward. I am very sure, that states do sometimes receive services, which is hardly in their power to reward according to their worth. If I were to give my judgment with regard to this country, I do not think the great efficient offices of the state to be overpaid. The service of

[1] Duke of Newcastle, whose dining-room is under the House of Commons

the public is a thing which cannot be put to auction, and struck down to those who will agree to execute it the cheapest. When the proportion between reward and service is our object, we must always consider of what nature the service is, and what sort of men they are that must perform it. What is just payment for one kind of labour, and full encouragement for one kind of talents, is fraud and discouragement to others. Many of the great offices have much duty to do, and much expense of representation to maintain. A secretary of state, for instance, must not appear sordid in the eyes of the ministers of other nations; neither ought our ministers abroad to appear contemptible in the courts where they reside. In all offices of duty, there is, almost necessarily, a great neglect of all domestic affairs. A person in high office can rarely take a view of his family-house. If he sees that the state takes no detriment, the state must see that his affairs should take as little.

I will even go so far as to affirm, that if men were willing to serve in such situations without salary, they ought not to be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say, that that state, which lays its foundation in rare and heroic virtues, will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity; as in all things else, a lawful and regulated enjoyment is the best security against debauchery and excess. For as wealth is power, so all power will infallibly draw wealth to itself by some means or other; and when men are left no way of ascertaining their profits but by their means of obtaining them, those means will be increased to infinity. This is true in all the parts of administration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to ostentatious ambition over unpretending service; it might breed invidious comparisons; it might tend to destroy whatever little unity and agreement may be found among ministers. And, after all, when an ambitious man had run down his competitors by a fallacious show of disinterestedness, and fixed himself in power by that means, what security is there that he would not change his course, and claim as an indemnity ten times more than he has given up?

This rule, like every other, may admit its exceptions When a great man has some one great object in view to be achieved in a given time, it may be absolutely necessary for him to walk out of all the common roads, and, if his fortune permits it, to hold himself out as a splendid example. I am told, that something of this kind is now doing in a country near us. But this is for a short race; the training for a heat or two, and not the proper preparation for the regular stages of a methodical journey. I am speaking of establishments, and not of men.

It may be expected, Sir, that when I am giving my reasons why I limit myself in the reduction of employments, or of their profits, I should say something of those which seem of eminent inutility in the state; I mean the number of officers who, by their places, are attendant on the person of the king. Considering the commonwealth merely as such, and considering those officers only as relative to the direct purposes of the state, I admit that they are of no use at all. But there are many things in the constitution of establishments, which appear of little value on the first view, which, in a secondary and oblique manner, produce very material advantages. It was on full consideration that I determined not to lessen any of the offices of honour about the crown, in their number, or their emoluments. These emoluments, except in one or two cases, do not much more than answer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance so much of constraint, that if it were a mere charge, without any compensation, you would soon have the court deserted by all the nobility of the kingdom.

Sir, the most serious mischiefs would follow from such a desertion. Kings are naturally lovers of low company. They are so elevated above all the rest of mankind, that they must look upon all their subjects as on a level. They are rather apt to hate than to love their nobility, on account of the occasional resistance to their will, which will be made by their virtue, their petulance, or their pride. It must indeed be admitted, that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons, as any of the lowest and vilest of mankind can

possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fiddler, a player, or any regular practitioner of that tribe. The Roman emperors, almost from the beginning, threw themselves into such hands; and the mischief increased every day till the decline and final ruin of the empire. It is therefore of very great importance (provided the thing is not overdone) to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person a great number of his first nobility; and it is rather an useful prejudice that gives them a pride in such a servitude. Though they are not much the better for a court, a court will be much the better for them. I have therefore not attempted to reform any of the offices of honour about the king's person.

There are, indeed, two offices in his stables which are sinecures. By the change of manners, and indeed by the nature of the thing, they must be so; I mean the several keepers of buck-hounds, stag-hounds, fox-hounds, and harriers. They answer no purpose of utility or of splendour. These I propose to abolish. It is not proper that great noblemen should be keepers of dogs, though they were the king's dogs. In every part of my scheme, I have endeavoured that no primary, and that even no secondary, service of the state should suffer by its frugality. I mean to touch no offices but such as I am perfectly sure are either of no use at all, or not of any use in the least assignable proportion to the burthen with which they load the revenues of the kingdom, and to the influence with which they oppress the freedom of parliamentary deliberation; for which reason there are but two offices which are properly state offices, that I have a desire to reform.

The first of them is the new office of *third secretary of state*, which is commonly called *secretary of state for the colonies*.

We know that all the correspondence of the colonies had been, until within a few years, carried on by the southern secretary of state; and that this department has not been shunned upon account of the weight of its duties; but, on

the contrary, much sought on account of its patronage. Indeed he must be poorly acquainted with the history of office, who does not know how very lightly the American functions have always leaned on the shoulders of the ministerial *Atlas*, who has upheld that side of the sphere. Undoubtedly, great temper and judgment were requisite in the management of the colony politics; but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almost the whole correspondence of this favourite secretary's office, since the first day of its establishment. I will say nothing of its auspicious foundation; of the quality of its correspondence; or of the effects that have ensued from it. I speak merely of its *quantity;* which we know would have been little or no addition to the trouble of whatever office had its hands the fullest. But what has been the real condition of the old office of secretary of state? Have their velvet bags, and their red boxes, been so full, that nothing more could possibly be crammed into them?

A correspondence of a curious nature has been lately published.[1] In that correspondence, Sir, we find the opinion of a noble person, who is thought to be the grand manufacturer of administrations; and therefore the best judge of the quality of his work. He was of opinion, that there was but one man of diligence and industry in the whole administration—it was the late Earl of Suffolk. The noble lord lamented very justly, that this statesman, of so much mental vigour, was almost wholly disabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the state long before he was dead to nature, at last paid his tribute to the common treasury to which we must all be taxed. But so little want was found even of his intentional industry, that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correspondence of this empire rested solely upon the activity and energy of Lord Weymouth.

It is therefore demonstrable, since one diligent man was fully equal to the duties of the two offices, that two diligent men will be equal to the duty of three. The business of the new office, which I shall propose to you to suppress, is by no

[1] Letters between Dr. Addington and Sir James Wright.

means too much to be returned to either of the secretaries which remain. If this dust in the balance should be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern secretary, the West Indies to the southern. It is not necessary that I should say more upon the inutility of this office. It is burning day-light. But before I have done, I shall just remark, that the history of this office is too recent to suffer us to forget, that it was made for the mere convenience of the arrangements of political intrigue, and not for the service of the state; that it was made, in order to give a colour to an exorbitant increase of the civil list; and in the same act to bring a new accession to the loaded compost heap of corrupt influence.

There is, Sir, another office which was not long since closely connected with this of the American secretary; but has been lately separated from it for the very same purpose for which it had been conjoined; I mean the sole purpose of all the separations and all the conjunctions that have been lately made—a job. I speak, Sir, of the *board of trade and plantations*. This board is a sort of temperate bed of influence; a sort of gently ripening hot-house, where eight members of parliament receive salaries of a thousand a year, for a certain given time, in order to mature, at a proper season, a claim to two thousand, granted for doing less, and on the credit of having toiled so long in that inferior, laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study, if I have a right to call any pursuits of mine by so respectable a name. I can assure the House, and I hope they will not think that I risk my little credit lightly, that, without meaning to convey the least reflection upon any one of its members past or present,—it is a board which, if not mischievous, is of no use at all.

You will be convinced, Sir, that I am not mistaken, if you reflect how generally it is true, that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce, is not a blind one. It is very well able to find its own way; and its necessities are its best laws. But if it were possible, in the nature of

things, that the young should direct the old, and the inexperienced instruct the knowing; if a board in the state was the best tutor for the counting-house; if the desk ought to read lectures to the anvil, and the pen to usurp the place of the shuttle—yet in any matter of regulation, we know that board must act with as little authority as skill. The prerogative of the crown is utterly inadequate to the object; because all regulations are, in their nature, restrictive of some liberty. In the reign, indeed, of *Charles the First*, the council, or committees of council, were never a moment unoccupied with affairs of trade. But even where they had no ill intention (which was sometimes the case) trade and manufacture suffered infinitely from their injudicious tampering. But since that period, whenever regulation is wanting (for I do not deny that sometimes it may be wanting) parliament constantly sits; and parliament alone is competent to such regulation. We want no instructions from boards of trade, or from any other board; and God forbid we should give the least attention to their reports. Parliamentary inquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained by attending the detail of business in the committees above-stairs, than ever did come, or ever will come, from any board in this kingdom, or from all of them together. An assiduous member of parliament will not be the worse instructed there, for not being paid a thousand a year for learning his lesson. And now that I speak of the committees above-stairs, I must say, that having till lately attended them a good deal, I have observed that no description of members give so little attendance, either to communicate or to obtain instruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect that I have ever seen one of them in that sort of business. Possibly some members may have better memories; and may call to mind some job that may have accidentally brought one or other of them, at one time or other, to attend a matter of commerce.

This board, Sir, has had both its original formation, and its regeneration, in a job. In a job it was conceived, and in a job its mother brought it forth. It made one among those showy and specious impositions, which one of the experiment-

making administrations of *Charles the Second* held out to delude the people, and to be substituted in the place of the real service which they might expect from a parliament annually sitting. It was intended, also, to corrupt that body whenever it should be permitted to sit. It was projected in the year 1668, and it continued in a tottering and rickety childhood for about three or four years; for it died in the year 1673, a babe of as little hopes as ever swelled the bills of mortality in the article of convulsed or over-laid children, who have hardly stepped over the threshold of life.

It was buried with little ceremony; and never more thought of until the reign of *King William*, when in the strange vicissitude of neglect and vigour, of good and ill success, that attended his wars in the year 1695, the trade was distressed beyond all example of former sufferings, by the piracies of the French cruisers. This suffering incensed, and, as it should seem, very justly incensed, the House of Commons. In this ferment they struck, not only at the administration, but at the very constitution of the executive government. They attempted to form in parliament a board for the protection of trade; which, as they planned it, was to draw to itself a great part, if not the whole, of the functions and powers, both of the admiralty and of the treasury; and thus, by a parliamentary delegation of office and officers, they threatened absolutely to separate these departments from the whole system of the executive government, and of course to vest the most leading and essential of its attributes in this board. As the executive government was in a manner convicted of a dereliction of its functions, it was with infinite difficulty that this blow was warded off in that session. There was a threat to renew the same attempt in the next. To prevent the effect of this manœuvre, the court opposed another manœuvre to it; and, in the year 1696, called into life this board of trade, which had slept since 1673.

This, in a few words, is the history of the regeneration of the board of trade. It has perfectly answered its purposes. It was intended to quiet the minds of the people, and to compose the ferment that was then strongly working in parliament. The courtiers were too happy to be able to substitute a board, which they knew would be useless, in the place of one that they feared would be dangerous. Thus

the board of trade was reproduced in a job; and perhaps it is the only instance of a public body, which has never degenerated; but to this hour preserves all the health and vigour of its primitive institution.

This board of trade and plantations has not been of any use to the colonies, as colonies; so little of use, that the flourishing settlements of New England, of Virginia, and of Maryland, and all our wealthy colonies in the West Indies, were of a date prior to the first board of Charles the Second. Pennsylvania and Carolina were settled during its dark quarter, in the interval between the extinction of the first and the formation of the second board. Two colonies alone owe their origin to that board. Georgia, which, till lately, has made a very slow progress; and never did make any progress at all, until it wholly got rid of all the regulations which the board of trade had moulded into its original constitution. That colony has cost the nation very great sums of money; whereas the colonies which have had the fortune of not being godfathered by the board of trade never cost the nation a shilling, except what has been so properly spent in losing them. But the colony of Georgia, weak as it was, carried with it to the last hour, and carries even in its present dead, pallid visage, the perfect resemblance of its parents. It always had, and it now has, an *establishment* paid by the public of England, for the sake of the influence of the crown; that colony having never been able or willing to take upon itself the expense of its proper government, or its own appropriated jobs.

The province of Nova Scotia was the youngest and the favourite child of the board. Good God! what sums the nursing of that ill-thriven, hard-visaged, and ill-favoured brat has cost to this wittol nation! Sir, this colony has stood us in a sum of not less than seven hundred thousand pounds. To this day it has made no repayment—It does not even support those offices of expense, which are miscalled its government; the whole of that jobs till lies upon the patient, callous shoulders of the people of England.

Sir, I am going to state a fact to you, that will serve to set in full sunshine the real value of formality, and official superintendence. There was, in the province of Nova Scotia, one little neglected corner, the country of the *neutral French*; which having the good fortune to escape the fostering

care of both France and England, and to have been shut out from the protection and regulation of councils of commerce and of boards of trade, did in silence, without notice, and without assistance, increase to a considerable degree. But it seems our nation had more skill and ability in destroying than in settling a colony. In the last war we did, in my opinion, most inhumanly, and upon pretences that in the eye of an honest man are not worth a farthing, root out this poor innocent, deserving people, whom our utter inability to govern, or to reconcile, gave us no sort of right to extirpate. Whatever the merits of that extirpation might have been, it was on the footsteps of a neglected people, it was on the fund of unconstrained poverty, it was on the acquisitions of unregulated industry, that anything which deserves the name of a colony in that province has been formed. It has been formed by overflowings from the exuberant population of New England, and by emigration from other parts of Nova Scotia of fugitives from the protection of the board of trade.

But if all of these things were not more than sufficient to prove to you the inutility of that expensive establishment, I would desire you to recollect, Sir, that those, who may be very ready to defend it, are very cautious how they employ it; cautious how they employ it even in appearance and pretence. They are afraid they should lose the benefit of its influence in parliament, if they seemed to keep it up for any other purpose. If ever there were commercial points of great weight, and most closely connected with our dependencies, they are those which have been agitated and decided in parliament since I came into it. Which of the innumerable regulations since made had their origin or their improvement in the board of trade? Did any of the several East India bills, which have been successively produced since 1767, originate there? Did any one dream of referring them, or any part of them, thither? Was anybody so ridiculous as even to think of it? If ever there was an occasion on which the board was fit to be consulted, it was with regard to the acts that were preludes to the American war, or attendant on its commencement: those acts were full of commercial regulations, such as they were—the intercourse bill; the prohibitory bill; the fishery bill. If the board was not con-

cerned in such things, in what particular was it thought fit that it should be concerned? In the course of all these bills through the House, I observed the members of that board to be remarkably cautious of intermeddling. They understood decorum better they know that matters of trade and plantations are no business of theirs.

There were two very recent occasions, which, if the idea of any use for the board had not been extinguished by prescription, appeared loudly to call for their interference.

When commissioners were sent to pay his Majesty's and our dutiful respects to the congress of the United States, a part of their powers under the commission were, it seems, of a commercial nature. They were authorized, in the most ample and undefined manner, to form a commercial treaty with America on the spot. This was no trivial object. As the formation of such a treaty would necessarily have been no less than the breaking up of our whole commercial system, and the giving it an entirely new form; one would imagine, that the board of trade would have sat day and night to model propositions, which, on our side, might serve as a basis to that treaty. No such thing. Their learned leisure was not in the least interrupted, though one of the members of the board was a commissioner, and might, in mere compliment to his office, have been supposed to make a show of deliberation on the subject. But he knew that his colleagues would have thought he laughed in their faces, had he attempted to bring anything the most distantly relating to commerce or colonies before *them*. A noble person, engaged in the same commission, and sent to learn his commercial rudiments in New York, (then under the operation of an act for the universal prohibition of trade,) was soon after put at the head of that board. This contempt from the present ministers of all the pretended functions of that board, and their manner of breathing into its very soul, of inspiring it with its animating and presiding principle, puts an end to all dispute concerning their opinion of the clay it was made of. But I will give them heaped measure.

It was but the other day, that the noble lord in the blue riband carried up to the House of Peers two acts, altering I think much for the better, but altering in a great degree, our whole commercial system. Those acts, I mean, for giving a

free trade to Ireland in woollens, and in all things else, with independent nations, and giving them an equal trade to our own colonies. Here too the novelty of this great, but arduous and critical, improvement of system, would make you conceive that the anxious solicitude of the noble lord in the blue riband would have wholly destroyed the plan of summer recreation of that board, by references to examine, compare, and digest matters for parliament.—You would imagine, that Irish commissioners of customs, and English commissioners of customs, and commissioners of excise, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum.* The perpetual virtual adjournment, and the unbroken sitting vacation of that board, was no more disturbed by the Irish than by the plantation commerce, or any other commerce. The same matter made a large part of the business which occupied the House for two sessions before; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister, into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received, nor those other qualified propositions which were rejected by ministers, were the least concern of theirs, nor were they ever thought of in the business.

It is therefore, Sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to *suppress the board of trade and plantations;* and to recommit all its business to the council from whence it was very improvidently taken; and which business (whatever it might be) was much better done, and without any expense; and indeed where in effect it may all come at last. Almost all that deserves the name of business there, is the reference of the plantation acts to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been done, by the council, and with a reference to the attorney and solicitor-general.

There are some regulations in the household, relative to officers of the yeomen of the guards, and the officers and band of gentlemen pensioners, which I shall likewise submit to

your consideration, for the purpose of regulating establishments, which at present are much abused.

I have now finished all that for the present I shall trouble you with on the *plan of reduction*. I mean next to propose to you the *plan of arrangement*, by which I mean to appropriate and fix the civil list money to its several services according to their nature; for I am thoroughly sensible, that if a discretion, wholly arbitrary, can be exercised over the civil list revenue, although the most effectual method may be taken to prevent the inferior departments from exceeding their bounds, the plan of reformation will still be left very imperfect. It will not, in my opinion, be safe to permit an entirely arbitrary discretion even in the first lord of the treasury himself: it will not be safe to leave with him a power of diverting the public money from its proper objects, of paying it in an irregular course, or of inverting perhaps the order of time, dictated by the proportion of value, which ought to regulate his application of payment to service.

I am sensible too, that the very operation of a plan of economy, which tends to exonerate the civil list of expensive establishments, may in some sort defeat the capital end we have in view; the independence of parliament; and that in removing the public and ostensible means of influence, we may increase the fund of private corruption. I have thought of some methods to prevent an abuse of surplus cash under discretionary application; I mean the heads of *secret service, special service, various payments*, and the like; which I hope will answer, and which in due time I shall lay before you. Where I am unable to limit the quantity of the sums to be applied, by reason of the uncertain quantity of the service, I endeavour to confine it to its *line;* to secure an indefinite application to the definite service to which it belongs; not to stop the progress of expense in its line, but to confine it to that line in which it professes to move.

But that part of my plan, Sir, upon which I principally rest, that on which I rely for the purpose of binding up and securing the whole, is to establish a fixed and invariable order in all its payments, which it shall not be permitted to the first lord of the treasury, upon any pretence whatsoever, to depart from. I therefore divide the civil list payment into *nine* classes, putting each class forward according to the im-

portance or justice of the demand, and to the inability of the persons entitled to enforce their pretensions; that is, to put those first who have the most efficient offices, or claim the justest debts; and, at the same time, from the character of that description of men, from the retiredness or the remoteness of their situation, or from their want of weight and power to enforce their pretensions, or from their being entirely subject to the power of a minister, without any reciprocal power of awing, ought to be the most considered, and are the most likely to be neglected; all these I place in the highest classes: I place in the lowest those whose functions are of the least importance, but whose persons or rank are often of the greatest power and influence.

In the first class, I place the *judges*, as of the first importance. It is the public justice that holds the community together; the ease, therefore, and independence of the judges ought to supersede all other considerations, and they ought to be the very last to feel the necessities of the state, or to be obliged either to court or bully a minister for their right; they ought to be as *weak solicitors on their own demands*, as strenuous assertors of the rights and liberties of others. The judges are, or ought to be, of a *reserved* and retired character, and wholly unconnected with the political world.

In the second class, I place the foreign ministers. The judges are the links of our connexions with one another; the foreign ministers are the links of our connexion with other nations. They are not upon the spot to demand payment, and are therefore the most likely to be, as in fact they have sometimes been, entirely neglected, to the great disgrace, and perhaps the great detriment, of the nation.

In the third class, I would bring all the tradesmen who supply the crown by contract, or otherwise.

In the fourth class, I place all the domestic servants of the king, and all persons in efficient offices, whose salaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid justice, I would place the pensions and allowances of his Majesty's royal family, comprehending of course the queen, together with the stated allowance of the privy purse.

In the sixth class, I place those efficient offices of duty,

whose salaries may exceed the sum of two hundred pounds a year.

In the seventh class, that mixed mass, the whole pension list.

In the eighth, the offices of honour about the king.

In the ninth, and the last of all, the salaries and pensions of the first lord of the treasury himself, the chancellor of the exchequer, and the other commissioners of the treasury.

If by any possible mismanagement of that part of the revenue which is left at discretion, or by any other mode of prodigality, cash should be deficient for the payment of the lowest classes, I propose that the amount of those salaries, where the deficiency may happen to fall, shall not be carried as debt to the account of the succeeding year, but that it shall be entirely lapsed, sunk, and lost; so that government will be enabled to start in the race of every new year wholly unloaded, fresh in wind and in vigour. Hereafter, no civil list debt can ever come upon the public. And those who do not consider this as saving, because it is not a certain sum, do not ground their calculations of the future on their experience of the past.

I know of no mode of preserving the effectual execution of any duty, but to make it the direct interest of the executive officer that it shall be faithfully reformed. Assuming, then, that the present vast allowance to the civil list is perfectly adequate to all its purposes, if there should be any failure, it must be from the mismanagement or neglect of the first commissioner of the treasury; since, upon the proposed plan, there can be no expense of any consequence, which he is not himself previously to authorize, and finally to control. It is therefore just, as well as politic, that the loss should attach upon the delinquency.

If the failure from the delinquency should be very considerable, it will fall on the class directly above the first lord of the treasury, as well as upon himself and his board. It will fall, as it ought to fall, upon offices of no primary importance in the state; but then it will fall upon persons, whom it will be a matter of no slight importance for a minister to provoke—it will fall upon persons of the first rank and consequence in the kingdom; upon those who are nearest to the king, and frequently have a more interior credit

with him than the minister himself. It will fall upon masters of the horse, upon lord chamberlains, upon lord stewards, upon grooms of the stole, and lords of the bedchamber. The household troops form an army, who will be ready to mutiny for want of pay, and whose mutiny will be *really* dreadful to a commander-in-chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a minister, and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar such an event would create at court! What *petitions*, and *committees*, and *associations*, would it not produce! Bless me! what a clattering of white sticks and yellow sticks would be about his head—what a storm of gold keys would fly about the ears of the minister—what a shower of Georges, and Thistles, and medals, and collars of S. S. would assail him at his first entrance into the antechamber, after an insolvent Christmas quarter! A tumult which could not be appeased by all the harmony of the new-year's ode. Rebellion it is certain there would be; and rebellion may not now indeed be so critical an event to those who engage in it, since its price is so correctly ascertained at just a thousand pounds.

Sir, this classing, in my opinion, is a serious and solid security for the performance of a minister's duty. Lord Coke says, that the staff was put into the treasurer's hand to enable him to support himself when there was no money in the exchequer, and to beat away importunate solicitors. The method, which I propose, would hinder him from the necessity of such a broken staff to lean on, or such a miserable weapon for repulsing the demands of worthless suitors, who, the noble lord in the blue riband knows, will bear many hard blows on the head, and many other indignities, before they are driven from the treasury. In this plan, he is furnished with an answer to all their importunity; an answer far more conclusive, than if he had knocked them down with his staff—"Sir, (or my Lord,) you are calling for my own salary—Sir, you are calling for the appointments of my colleagues who sit about me in office—Sir, you are going to excite a mutiny at court against me—you are going to estrange his Majesty's confidence from me, through the chamberlain, or the master of the horse, or the groom of the stole."

As things now stand, every man, in proportion to his consequence at court, tends to add to the expense of the civil list, by all manner of jobs, if not for himself, yet for his dependents. When the new plan is established, those, who are now suitors for jobs, will become the most strenuous opposers of them. They will have a common interest with the minister in public economy. Every class, as it stands low, will become security for the payment of the preceding class; and thus the persons, whose insignificant services defraud those that are useful, would then become interested in their payment. Then the powerful, instead of oppressing, would be obliged to support the weak; and idleness would become concerned in the reward of industry. The whole fabric of the civil economy would become compact and connected in all its parts; it would be formed into a well-organized body, where every member contributes to the support of the whole; and where even the lazy stomach secures the vigour of the active arm.

This plan, I really flatter myself, is laid, not in official formality, nor in airy speculation, but in real life, and in human nature, in what "comes home (as Bacon says) to the business and bosoms of men." You have now, Sir, before you, the whole of my scheme, as far as I have digested it into a form, that might be in any respect worthy of your consideration.—I intend to lay it before you in five bills.[1] The plan consists, indeed, of many parts; but they stand upon a few plain principles. It is a plan which takes nothing from the civil list without discharging it of a burthen equal to the sum carried to the public service. It weakens no one function necessary to government; but on the contrary, by appropriating supply to service, it gives it greater vigour. It provides the means of order and foresight to a minister of finance, which may always keep all the objects of his office, and their state, condition, and relations, distinctly before him. It brings forward accounts without hurrying and distressing the accountants: whilst it provides for public convenience, it regards private rights. It extinguishes secret corruption almost to the possibility of its existence. It destroys direct and visible influence equal to the offices of at least fifty members of parliament. Lastly, it prevents the provision

[1] Titles of the bills read.

for his Majesty's children from being diverted to the political purposes of his minister.

These are the points on which I rely for the merit of the plan: I pursue economy in a secondary view, and only as it is connected with these great objects. I am persuaded, that even for supply this scheme will be far from unfruitful, if it be executed to the extent I propose it. I think it will give to the public, at its periods, two or three hundred thousand pounds a year; if not, it will give them a system of economy, which is itself a great revenue. It gives me no little pride and satisfaction, to find that the principles of my proceedings are, in many respects, the very same with those which are now pursued in the plans of the French minister of finance. I am sure, that I lay before you a scheme easy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to say, that such and such things are perfectly right—very desirable; but that, unfortunately, they are not practicable. Oh! no, Sir, no. Those things which are not practicable, are not desirable. There is nothing in the world really beneficial, that does not lie within the reach of an informed understanding and a well-directed pursuit. There is nothing that God has judged good for us, that he has not given us the means to accomplish, both in the natural and the moral world. If we cry, like children, for the moon, like children, we must cry on.

We must follow the nature of our affairs, and conform ourselves to our situation. If we do, our objects are plain and compassable. Why should we resolve to do nothing, because what I propose to you may not be the exact demand of the petition; when we are far from resolved to comply even with what evidently is so? Does this sort of chicanery become us? The people are the masters. They have only to express their wants at large and in gross. We are the expert artists; we are the skilful workmen, to shape their desires into perfect form, and to fit the utensil to the use. They are the sufferers, they tell the symptoms of the complaint; but we know the exact seat of the disease, and how to apply the remedy according to the rules of art. How shocking would it be to see us pervert our skill into a sinister and servile dexterity, for the purpose of evading our

duty, and defrauding our employers, who are our natural lords, of the object of their just expectations. I think the whole not only practicable, but practicable in a very short time. If we are in earnest about it, and if we exert that industry, and those talents, in forwarding the work, which, I am afraid, may be exerted in impeding it—I engage, that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any task, but a kind of earnest and anxious perseverance of mind, which, with all its good and all its evil effects, is moulded into my constitution. I faithfully engage to the House, if they choose to appoint me to any part in the execution of this work, which (when they have made it theirs by the improvements of their wisdom) will be worthy of the able assistance they may give me, that by night and by day, in town or in country, at the desk or in the forest, I will, without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all: and I owe to it ten times more industry, if ten times more I could exert. After all, I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be permitted, I will lend an humble, helping hand to any other good work which is going on. I have not, Sir, the frantic presumption to suppose, that this plan contains in it the whole of what the public has a right to expect, in the great work of reformation they call for. Indeed it falls infinitely short of it. It falls short even of my own ideas. I have some thoughts, not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors bill of last year it is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of custom-house officers, brought into parliament several years ago, by one of our worthiest and wisest members,[1] (would to God we could along with the plan revive the person who designed

[1] W. Dowdeswell, Esq., chancellor of the exchequer, 1765.

it). But a man of very real integrity, honour, and ability, will be found to take his place, and to carry his idea into full execution. You all see how necessary it is to review our military expenses for some years past, and, if possible, to bind up and close that bleeding artery of profusion: but that business also, I have reason to hope, will be undertaken by abilities that are fully adequate to it. Something must be devised (if possible) to check the ruinous expense of elections.

Sir, all or most of these things must be done. Every one must take his part.

If we should be able by dexterity, or power, or intrigue, to disappoint the expectations of our constituents, what will it avail us? We shall never be strong or artful enough to parry, or to put by, the irresistible demands of our situation. That situation calls upon us, and upon our constituents too, with a voice which *will* be heard. I am sure no man is more zealously attached than I am to the privileges of this House, particularly in regard to the exclusive management of money. The lords have no right to the disposition, in any sense, of the public purse; but they have gone further in self-denial[1] than our utmost jealousy could have required. A power of examining accounts, to censure, correct, and punish, we never, that I know of, have thought of denying to the House of Lords. It is something more than a century since we voted that body useless: they have now voted themselves so. The whole hope of reformation is at length cast upon *us:* and let us not deceive the nation, which does us the honour to hope everything from our virtue. If *all* the nation are not equally forward to press this duty upon us, yet be assured, that they all equally expect we should perform it. The respectful silence of those who wait upon your pleasure ought to be as powerful with you, as the call of those who require your service as their right. Some, without doors, affect to feel hurt for your dignity, because they suppose that menaces are held out to you. Justify their good opinion, by showing that no menaces are necessary to stimulate you to your duty. —But, Sir, whilst we may sympathize with them, in one point, who sympathize with us in another, we ought to attend no less to those who approach us like men, and who,

[1] Rejection of Lord Shelburne's motion in the House of Lords.

in the guise of petitioners, speak to us in the tone of a concealed authority. It is not wise to force them to speak out more plainly, what they plainly mean.—But the petitioners are violent. Be it so. Those, who are least anxious about your conduct, are not those that love you most. Moderate affection, and satiated enjoyment, are cold and respectful; but an ardent and injured passion is tempered up with wrath, and grief, and shame, and conscious worth, and the maddening sense of violated right. A jealous love lights his torch from the firebrands of the furies.—They who call upon you to belong *wholly* to the people, are those who wish you to return to your *proper* home; to the sphere of your duty, to the post of your honour, to the mansion-house of all genuine, serene, and solid satisfaction. We have furnished to the people of England (indeed we have) some real cause of jealousy. Let us leave that sort of company which, if it does not destroy our innocence, pollutes our honour; let us free ourselves at once from everything that can increase their suspicions, and inflame their just resentment; let us cast away from us, with a generous scorn, all the love-tokens and symbols that we have been vain and light enough to accept; —all the bracelets, and snuff-boxes, and miniature pictures, and hair devices, and all the other adulterous trinkets that are the pledges of our alienation, and the monuments of our shame. Let us return to our legitimate home, and all jars and all quarrels will be lost in embraces. Let the commons in parliament assembled be one and the same thing with the commons at large. The distinctions that are made to so separate us are unnatural and wicked contrivances. Let us identify, let us incorporate, ourselves with the people. Let us cut all the cables and snap the chains which tie us to an unfaithful shore, and enter the friendly harbour, that shoots far out into the main its moles and jettees to receive us.—"War with the world, and peace with our constituents." Be this our motto, and our principle. Then, indeed, we shall be truly great. Respecting ourselves, we shall be respected by the world. At present all is troubled, and cloudy, and distracted, and full of anger and turbulence, both abroad and at home; but the air may be cleared by this storm, and light and fertility may follow it. Let us give a faithful pledge to the people, that we honour, indeed, the crown; but that we

belong to them; that we are their auxiliaries and not their task-masters; the fellow-labourers in the same vineyard, not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourselves; but to cut off from our enjoyments to forward theirs, is the highest gratification we are capable of receiving. I feel with comfort, that we are all warmed with these sentiments, and while we are thus warm, I wish we may go directly and with a cheerful heart to this salutary work.

Sir, I move for leave to bring in a bill, "For the better regulation of his Majesty's civil establishments, and of certain public offices; for the limitation of pensions, and the suppression of sundry useless, expensive, and inconvenient places; and for applying the monies saved thereby to the public service."[1]

Lord North stated, that there was a difference between this bill for regulating the establishments, and some of the others, as they affected the ancient patrimony of the crown; and therefore wished them to be postponed, till the king's consent could be obtained. This distinction was strongly controverted; but when it was insisted on as a point of decorum *only*, it was agreed to postpone them to another day. Accordingly, on the Monday following, viz. February 14, leave was given, on the motion of Mr. Burke, without opposition, to bring in,

1st, "A bill for the sale of the forests and other crown lands, rents, and hereditaments, with certain exceptions; *and for applying the produce thereof to the public service;* and for securing, ascertaining, and satisfying, *tenant-rights*, and common and other rights."

2nd, "A bill for the more perfectly uniting to the crown the principality of Wales, and the county palatine of Chester, and for the more commodious administration of justice within the same; as also for abolishing certain offices now appertaining thereto; *for quieting dormant claims, ascertaining and securing tenant-rights;* and for the sale of all forest lands, and other lands, tenements, and hereditaments, held by his Majesty in right of the said principality, or county

[1] The motion was seconded by Mr. Fox.

palatine of Chester, *and for applying the produce thereof to the public service.*"

3rd, "A bill for uniting to the crown the duchy and county palatine of Lancaster; for the suppression of unnecessary offices now belonging thereto; for the *ascertainment and security of tenant and other rights*; and for the sale of all rents, lands, tenements, and hereditaments, and forests, within the said duchy and county palatine, or either of them; *and for applying the produce thereof to the public service.*"—*And it was ordered that* Mr. Burke, Mr. Fox, Lord John Cavendish, Sir George Savile, Colonel Barrè, Mr. Thomas Townshend, Mr. Byng, Mr. Dunning, Sir Joseph Mawbey, Mr. Recorder of London, Sir Robert Clayton, Mr. Frederick Montagu, the Earl of Upper Ossory, Sir William Guise, and Mr. Gilbert, *do prepare and bring in the same.*

At the same time, Mr. Burke moved for leave to bring in —4th, "A bill for uniting the duchy of Cornwall to the crown; for the suppression of certain unnecessary offices now belonging thereto; for the *ascertainment and security of tenant and other rights;* and for the sale of certain rents, lands, and tenements, within or belonging to the said duchy; *and for applying the produce thereof to the public service.*"

But some objections being made by the surveyor-general of the duchy, concerning the rights of the prince of Wales, now in his minority, and Lord North remaining perfectly silent, Mr. Burke, at length, though he strongly contended against the principle of the objection, consented to withdraw this last motion for the *present*, to be renewed upon an early occasion.

SPEECH

AT

THE GUILDHALL, IN BRISTOL,

PREVIOUS TO

THE LATE ELECTION IN THAT CITY,

UPON CERTAIN POINTS RELATIVE TO HIS PARLIAMENTARY CONDUCT.

1780.

MR. MAYOR, AND GENTLEMEN,

I am extremely pleased at the appearance of this large and respectable meeting. The steps I may be obliged to take will want the sanction of a considerable authority; and in explaining anything which may appear doubtful in my public conduct, I must naturally desire a very full audience.

I have been backward to begin my canvass.—The dissolution of the parliament was uncertain; and it did not become me, by an unseasonable importunity, to appear diffident of the fact of my six years' endeavours to please you. I had served the city of Bristol honourably; and the city of Bristol had no reason to think, that the means of honourable service to the public were become indifferent to me.

I found on my arrival here, that three gentlemen had been long in eager pursuit of an object which but two of us can obtain. I found that they had all met with encouragement. A contested election, in such a city as this, is no light thing. I paused on the brink of the precipice. These three gentlemen, by various merits, and on various titles, I made no doubt were worthy of your favour. I shall never attempt to raise myself by depreciating the merits of my competitors.

In the complexity and confusion of these cross pursuits, I wished to take the authentic public sense of my friends upon a business of so much delicacy. I wished to take your opinion along with me; that if I should give up the contest at the very beginning, my surrender of my post may not seem the effect of inconstancy, or timidity, or anger, or disgust, or indolence, or any other temper unbecoming a man who has engaged in the public service. If, on the contrary, I should undertake the election, and fail of success, I was full as anxious, that it should be manifest to the whole world, that the peace of the city had not been broken by my rashness, presumption, or fond conceit of my own merit.

I am not come, by a false and counterfeit show of deference to your judgment, to seduce it in my favour. I ask it seriously and unaffectedly. If you wish that I should retire, I shall not consider that advice as a censure upon my conduct, or an alteration in your sentiments; but as a rational submission to the circumstances of affairs. If, on the contrary, you should think it proper for me to proceed on my canvass, if you will risk the trouble on your part, I will risk it on mine. My pretensions are such as you cannot be ashamed of, whether they succeed or fail.

If you call upon me, I shall solicit the favour of the city upon manly ground. I come before you with the plain confidence of an honest servant in the equity of a candid and discerning master. I come to claim your approbation, not to amuse you with vain apologies, or with professions still more vain and senseless. I have lived too long to be served by apologies, or to stand in need of them. The part I have acted has been in open day: and to hold out to a conduct, which stands in that clear and steady light for all its good and all its evil, to hold out to that conduct the paltry winking tapers of excuses and promises—I never will do it—They may obscure it with their smoke; but they never can illumine sunshine by such a flame as theirs.

I am sensible that no endeavours have been left untried to injure me in your opinion. But the use of character is to be a shield against calumny. I could wish, undoubtedly, (if idle wishes were not the most idle of all things,) to make every part of my conduct agreeable to every part of my con-

stituents. But in so great a city, and so greatly divided as this, it is weak to expect it.

In such a discordancy of sentiments, it is better to look to the nature of things than to the humours of men. The very attempt towards pleasing everybody discovers a temper always flashy, and often false and insincere. Therefore, as I have proceeded straight onward in my conduct, so I will proceed in my account of those parts of it which have been most excepted to. But I must first beg leave just to hint to you, that we may suffer very great detriment by being open to every talker. It is not to be imagined, how much of service is lost from spirits full of activity, and full of energy, who are pressing, who are rushing forward, to great and capital objects, when you oblige them to be continually looking back. Whilst they are defending one service, they defraud you of an hundred. Applaud us when we run; console us when we *fall*; cheer us when we recover; but let us pass on—for God's sake let us pass on.

Do you *think*, gentlemen, that every public act in the six years since I stood in this place before you—that all the arduous things which have been done in this eventful period, which has crowded into a few years' space the revolutions of an age, can be opened to you on their fair grounds in half an hour's conversation?

But it is no reason, because there is a bad mode of inquiry, that there should be no examination at all. Most certainly it is our duty to examine; it is our interest too—But it must be with discretion; with an attention to all the circumstances, and to all the motives: like sound judges, and not like cavilling pettyfoggers and quibbling pleaders, prying into flaws and hunting for exceptions.—Look, gentlemen, to the *whole tenor* of your member's conduct. Try whether his ambition or his avarice have just led him out of the straight line of duty; or whether that grand foe of the offices of active life, that master-vice in men of business, a degenerate and inglorious sloth, has made him flag and languish in his course? This is the object of our inquiry. If our member's conduct can bear this touch, mark it for sterling. He may have fallen into errors; he must have faults; but our error is greater, and our fault is radically ruinous to ourselves, if we

do not bear, if we do not even applaud, the whole compound and mixed mass of such a character. Not to act thus is folly; I had almost said it is impiety. He censures God, who quarrels with the imperfections of man.

Gentlemen, we must not be peevish with those who serve the people. For none will serve us whilst there is a court to serve, but those who are of a nice and jealous honour. They who think everything, in comparison of that honour, to be dust and ashes, will not bear to have it soiled and impaired by those, for whose sake they make a thousand sacrifices to preserve it immaculate and whole. We shall either drive such men from the public stage, or we shall send them to the court for protection: where, if they must sacrifice their reputation, they will at least secure their interest. Depend upon it, that the lovers of freedom will be free. None will violate their conscience to please us, in order afterwards to discharge that conscience, which they have violated, by doing us faithful and affectionate service. If we degrade and deprave their minds by servility, it will be absurd to expect, that they who are creeping and abject towards us, will ever be bold and incorruptible assertors of our freedom, against the most seducing and the most formidable of all powers. No! human nature is not so formed; nor shall we improve the faculties or better the morals of public men, by our possession of the most infallible receipt in the world for making cheats and hypocrites.

Let me say with plainness, I who am no longer in a public character, that if by a fair, by an indulgent, by a gentlemanly behaviour to our representatives, we do not give confidence to their minds, and a liberal scope to their understandings; if we do not permit our members to act upon a *very* enlarged view of things; we shall at length infallibly degrade our national representation into a confused and scuffling bustle of local agency. When the popular member is narrowed in his ideas, and rendered timid in his proceedings, the service of the crown will be the sole nursery of statesmen. Among the frolics of the court, it may at length take that of attending to its business. Then the monopoly of mental power will be added to the power of all other kinds it possesses. On the side of the people there will be nothing but impotence:

for ignorance is impotence; narrowness of mind is impotence; timidity is itself impotence, and makes all other qualities that go along with it, impotent and useless.

At present it is the plan of the court to make its servants insignificant. If the people should fall into the same humour, and should choose their servants on the same principles of mere obsequiousness, and flexibility, and total vacancy or indifference of opinion in all public matters, then no part of the state will be sound; and it will be in vain to think of saving it.

I thought it very expedient at this time to give you this candid counsel; and with this counsel I would willingly close, if the matters which at various times have been objected to me in this city concerned only myself, and my own election. These charges, I think, are four in number;—my neglect of a due attention to my constituents, the not paying more frequent visits here;—my conduct on the affairs of the first Irish trade acts;—my opinion and mode of proceeding on Lord Beauchamp's debtors bills; and my votes on the late affairs of the Roman Catholics. All of these (except perhaps the first) relate to matters of very considerable public concern; and it is not lest you should censure me improperly, but lest you should form improper opinions on matters of some moment to you, that I trouble you at all upon the subject. My conduct is of small importance.

With regard to the first charge, my friends have spoken to me of it in the style of amicable expostulation; not so much blaming the thing, as lamenting the effects.—Others, less partial to me, were less kind in assigning the motives. I admit, there is a decorum and propriety in a member of parliament's paying a respectful court to his constituents. If I were conscious to myself that pleasure or dissipation, or low unworthy occupations, had detained me from personal attendance on you, I would readily admit my fault, and quietly submit to the penalty. But, gentlemen, I live at a hundred miles distance from Bristol; and at the end of a session I come to my own house, fatigued in body and in mind, to a little repose, and to a very little attention to my family and my private concerns. A visit to Bristol is always a sort of canvass; else it will do more harm than good. To pass from the toils of a session to the toils of a canvass, is

the furthest thing in the world from repose. I could hardly serve you *as I have done*, and court you too. Most of you have heard, that I do not very remarkably spare myself in *public* business; and in the *private* business of my constituents I have done very nearly as much as those who have nothing else to do. My canvass of you was not on the 'change, nor in the county meetings, nor in the clubs of this city: It was in the House of Commons; it was at the custom-house; it was at the council; it was at the treasury; it was at the admiralty. I canvassed you through your affairs, and not your persons. I was not only your representative as a body; I was the agent, the solicitor of individuals; I ran about wherever your affairs could call me; and in acting for you, I often appeared rather as a ship-broker, than as a member of parliament. There was nothing too laborious or too low for me to undertake. The meanness of the business was raised by the dignity of the object. If some lesser matters have slipped through my fingers, it was because I filled my hands too full; and, in my eagerness to serve you, took in more than any hands could grasp. Several gentlemen stand round me who are my willing witnesses; and there are others who, if they were here, would be still better; because they would be unwilling witnesses to the same truth. It was in the middle of a summer residence in London, and in the middle of a negotiation at the admiralty for your trade, that I was called to Bristol; and this late visit, at this late day, has been possibly in prejudice to your affairs.

Since I have touched upon this matter, let me say, gentlemen, that if I had a disposition or a right to complain, I have some cause of complaint on my side. With a petition of the city in my hand, passed through the corporation without a dissenting voice, a petition in unison with almost the whole voice of the kingdom, (with whose formal thanks I was covered over,) while I laboured on no less than five bills for a public reform, and fought against the opposition of great abilities, and of the greatest power, every clause and every word of the largest of those bills, almost to the very last day of a very long session; all this time a canvass in Bristol was as calmly carried on as if I were dead. I was considered as a man wholly out of the question. Whilst I watched, and fasted, and sweated in the House of Commons—by the

most easy and ordinary arts of election, by dinners and visits, by "How do you do's," and "My worthy friends," I was to be quietly moved out of my seat—and promises were made, and engagements entered into, without any exception or reserve, as if my laborious zeal in my duty had been a regular abdication of my trust.

To open my whole heart to you on this subject, I do confess, however, that there were other times besides the two years in which I did visit you, when I was not wholly without leisure for repeating that mark of my respect. But I could not bring my mind to see you. You remember, that in the beginning of this American war (that era of calamity, disgrace, and downfal, an era which no feeling mind will ever mention without a tear for England) you were greatly divided; and a very strong body, if not the strongest, opposed itself to the madness which every art and every power were employed to render popular, in order that the errors of the rulers might be lost in the general blindness of the nation. This opposition continued until after our great, but most unfortunate, victory at Long Island. Then all the mounds and banks of our constancy were borne down at once; and the phrensy of the American war broke in upon us like a deluge. This victory, which seemed to put an immediate end to all difficulties, perfected us in that spirit of domination, which our unparalleled prosperity had but too long nurtured. We had been so very powerful, and so very prosperous, that even the humblest of us were degraded into the vices and follies of kings. We lost all measure between means and ends; and our headlong desires became our politics and our morals. All men who wished for peace, or retained any sentiments of moderation, were overborne or silenced; and this city was led by every artifice (and probably with the more management, because I was one of your members) to distinguish itself by its zeal for that fatal cause. In this temper of your and of my mind, I should have sooner fled to the extremities of the earth, than have shown myself here. I, who saw in every American victory (for you have had a long series of these misfortunes) the germ and seed of the naval power of France and Spain, which all our heat and warmth against America was only hatching into life,—I should not have been a welcome visitant with the brow and

the language of such feelings. When, afterwards, the other face of your calamity was turned upon you, and showed itself in defeat and distress, I shunned you full as much. I felt sorely this variety in our wretchedness; and I did not wish to have the least appearance of insulting you with that show of superiority, which, though it may not be assumed, is generally suspected in a time of calamity, from those whose previous warnings have been despised. I could not bear to show you a representative whose face did not reflect that of his constituents; a face that could not joy in your joys, and sorrow in your sorrows. But time at length has made us all of one opinion; and we have all opened our eyes on the true nature of the American war, to the true nature of all its successes and all its failures.

In that public storm too I had my private feelings. I had seen blown down and prostrate on the ground several of those houses to whom I was chiefly indebted for the honour this city has done me. I confess, that, whilst the wounds of those I loved were yet green, I could not bear to show myself in pride and triumph in that place into which their partiality had brought me, and to appear at feasts and rejoicings, in the midst of the grief and calamity of my warm friends, my zealous supporters, my generous benefactors. This is a true, unvarnished, undisguised state of the affair. You will judge of it.

This is the only one of the charges in which I am personally concerned. As to the other matters objected against me, which in their turn I shall mention to you, remember once more I do not mean to extenuate or excuse. Why should I, when the things charged are among those upon which I found all my reputation? What would be left to me, if I myself was the man, who softened, and blended, and diluted, and weakened, all the distinguishing colours of my life, so as to leave nothing distinct and determinate in my whole conduct?

It has been said, and it is the second charge, that in the questions of the Irish trade, I did not consult the interest of my constituents; or, to speak out strongly, that I rather acted as a native of Ireland, than as an English member of parliament.

I certainly have very warm, good wishes for the place of

my birth. But the sphere of my duties is my true country. It was, as a man attached to your interests, and zealous for the conservation of your power and dignity, that I acted on that occasion, and on all occasions. You were involved in the American war. A new world of policy was opened, to which it was necessary we should conform, whether we would or not; and my only thought was how to conform to our situation in such a manner as to unite to this kingdom, in prosperity and in affection, whatever remained of the empire. I was true to my old, standing, invariable principle, that all things, which came from Great Britain, should issue as a gift of her bounty and beneficence, rather than as claims recovered against a struggling litigant; or at least, that if your beneficence obtained no credit in your concessions, yet that they should appear the salutary provisions of your wisdom and foresight; not as things wrung from you with your blood by the cruel gripe of a rigid necessity. The first concessions, by being (much against my will) mangled and stripped of the parts which were necessary to make out their just correspondence and connexion in trade, were of no use. The next year a feeble attempt was made to bring the thing into better shape. This attempt (countenanced by the minister) on the very first appearance of some popular uneasiness, was, after a considerable progress through the House, thrown out by *him*.

What was the consequence? The whole kingdom of Ireland was instantly in a flame. Threatened by foreigners, and, as they thought, insulted by England, they resolved at once to resist the power of France, and to cast off yours. As for us, we were able neither to protect nor to restrain them. Forty thousand men were raised and disciplined without commission from the crown. Two illegal armies were seen with banners displayed at the same time and in the same country. No executive magistrate, no judicature in Ireland, would acknowledge the legality of the army which bore the king's commission; and no law, or appearance of law, authorized the army commissioned by itself. In this unexampled state of things, which the least error, the least trespass on the right or left, would have hurried down the precipice into an abyss of blood and confusion, the people of Ireland demand a freedom of trade with arms in their hands.

They interdict all commerce between the two nations. They deny all new supply in the House of Commons, although in time of war. They stint the trust of the old revenue, given for two years to all the king's predecessors, to six months. The British parliament, in a former session, frightened into a limited concession by the menaces of Ireland, frightened out of it by the menaces of England, were now frightened back again, and made an universal surrender of all that had been thought the peculiar, reserved, uncommunicable rights of England;—the exclusive commerce of America, of Africa, of the West Indies—all the enumerations of the acts of navigation—all the manufactures—iron, glass, even the last pledge of jealousy and pride, the interest hid in the secret of our hearts, the inveterate prejudice moulded into the constitution of our frame, even the sacred fleece itself, all went together. No reserve; no exception; no debate; no discussion. A sudden light broke in upon us all. It broke in, not through well-contrived and well-disposed windows, but through flaws and breaches; through the yawning chasms of our ruin. We were taught wisdom by humiliation. No town in England presumed to have a prejudice; or dared to mutter a petition. What was worse, the whole parliament of England, which retained authority for nothing but surrenders, was despoiled of every shadow of its superintendence. It was, without any qualification, denied in theory, as it had been trampled upon in practice. This scene of shame and disgrace has, in a manner whilst I am speaking, ended by the perpetual establishment of a military power in the dominions of this crown, without consent of the British legislature,[1] contrary to the policy of the constitution, contrary to the declaration of right: and by this your liberties are swept away along with your supreme authority—and both, linked together from the beginning, have, I am afraid, both together perished for ever.

What! gentlemen, was I not to foresee, or foreseeing, was I not to endeavour to save you from all these multiplied mischiefs and disgraces? Would the little, silly, canvass prattle of obeying instructions, and having no opinions but yours, and such idle senseless tales, which amuse the vacant ears of unthinking men, have saved you from "the pelting of that

[1] Irish perpetual mutiny act

pitiless storm," to which the loose improvidence, the cowardly rashness, of those who dare not look danger in the face, so as to provide against it in time, and therefore throw themselves headlong into the midst of it, have exposed this degraded nation, beaten down and prostrate on the earth, unsheltered, unarmed, unresisting? Was I an Irishman on that day, that I boldly withstood our pride? or on the day that I hung down my head, and wept in shame and silence over the humiliation of Great Britain? I became unpopular in England for the one, and in Ireland for the other. What then? What obligation lay on me to be popular? I was bound to serve both kingdoms. To be pleased with my service was their affair, not mine.

I was an Irishman in the Irish business, just as much as I was an American, when, on the same principles, I wished you to concede to America, at a time when she prayed concession at our feet. Just as much was I an American, when I wished parliament to offer terms in victory, and not to wait the well-chosen hour of defeat, for making good by weakness, and by supplication, a claim of prerogative, preeminence, and authority.

Instead of requiring it from me, as a point of duty, to kindle with your passions, had you all been as cool as I was, you would have been saved from disgraces and distresses that are unutterable. Do you remember our commission? We sent out a solemn embassy across the Atlantic ocean, to lay the crown, the peerage, the commons of Great Britain, at the feet of the American congress. That our disgrace might want no sort of brightening and burnishing, observe who they were that composed this famous embassy! My Lord Carlisle is among the first ranks of our nobility. He is the identical man who, but two years before, had been put forward, at the opening of the session in the House of Lords, as the mover of a haughty and rigorous address against America. He was put in the front of the embassy of submission. Mr. Eden was taken from the office of Lord Suffolk, to whom he was then under secretary of state; from the office of that Lord Suffolk, who but a few weeks before, in his place in parliament, did not deign to inquire where a congress of vagrants was to be found. This Lord Suffolk sent Mr. Eden

to find these vagrants, without knowing where this king's generals were to be found, who were joined in the same commission of supplicating those whom they were sent to subdue. They enter the capital of America only to abandon it; and these assertors and representatives of the dignity of England, at the tail of a flying army, let fly their Parthian shafts of memorials and remonstrances at random behind them. Their promises and their offers, their flatteries and their menaces, were all despised; and we were saved from the disgrace of their formal reception, only because the congress scorned to receive them; whilst the state-house of independent Philadelphia opened her doors to the public entry of the ambassador of France. From war and blood we went to submission; and from submission plunged back again to war and blood; to desolate and be desolated, without measure; hope, or end. I am a Royalist, I blushed for this degradation of the crown. I am a Whig, I blushed for the dishonour of parliament. I am a true Englishman, I felt to the quick for the disgrace of England. I am a man, I felt for the melancholy reverse of human affairs, in the fall of the first power in the world.

To read what was approaching in Ireland, in the black and bloody characters of the American war, was a painful, but it was a necessary, part of my public duty. For, gentlemen, it is not your fond desires or mine that can alter the nature of things; by contending against which, what have we got, or shall ever get, but defeat and shame? I did not obey your instructions: No. I conformed to the instructions of truth and nature, and maintained your interest, against your opinions, with a constancy that became me. A representative worthy of you ought to be a person of stability. I am to look, indeed, to your opinions; but to such opinions as you and I *must* have five years hence. I was not to look to the flash of the day. I knew that you chose me, in my place, along with others, to be a pillar of the state, and not a weathercock on the top of the edifice, exalted for my levity and versatility, and of no use but to indicate the shiftings of every fashionable gale. Would to God the value of my sentiments on Ireland and on America had been at this day a subject of doubt and discussion! No matter what my suffer-

ings had been, so that this kingdom had kept the authority I wished it to maintain, by a grave foresight, and by an equitable temperance in the use of its power.

The next article of charge on my public conduct, and that which I find rather the most prevalent of all, is, Lord Beauchamp's bill. I mean his bill of last session, for reforming the law-process concerning imprisonment. It is said, to aggravate the offence, that I treated the petition of this city with contempt even in presenting it to the House, and expressed myself in terms of marked disrespect. Had this latter part of the charge been true, no merits on the side of the question which I took could possibly excuse me. But I am incapable of treating this city with disrespect. Very fortunately, at this minute (if my bad eyesight does not deceive me) the worthy gentleman[1] deputed on this business stands directly before me. To him I appeal, whether I did not, though it militated with my oldest and my most recent public opinions, deliver the petition with a strong and more than usual recommendation to the consideration of the House, on account of the character and consequence of those who signed it. I believe the worthy gentleman will tell you, that the very day I received it, I applied to the solicitor, now the attorney-general, to give it an immediate consideration; and he most obligingly and instantly consented to employ a great deal of his very valuable time to write an explanation of the bill. I attended the committee with all possible care and diligence, in order that every objection of yours might meet with a solution; or produce an alteration. I entreated your learned recorder (always ready in business in which you take a concern) to attend. But what will you say to those who blame me for supporting Lord Beauchamp's bill, as a disrespectful treatment of your petition, when you hear, that out of respect to you, I myself was the cause of the loss of that very bill? For the noble lord who brought it in, and who, I must say, has much merit for this and some other measures, at my request consented to put it off for a week, which the speaker's illness lengthened to a fortnight; and then the frantic tumult about Popery drove that and every rational business from the House. So that if I choose to make a defence of myself on the little principles of a culprit, pleading in his

[1] Mr. Williams.

exculpation, I might not only secure my acquittal, but make merit with the opposers of the bill. But I shall do no such thing. The truth is, that I did occasion the loss of the bill, and by a delay caused by my respect to you. But such an event was never in my contemplation. And I am so far from taking credit for the defeat of that measure, that I cannot sufficiently lament my misfortune, if but one man, who ought to be at large, has passed a year in prison by my means. I am a debtor to the debtors. I confess judgment. I owe what, if ever it be in my power, I shall most certainly pay,—ample atonement and usurious amends to liberty and humanity for my unhappy lapse. For, gentlemen, Lord Beauchamp's bill was a law of justice and policy, as far as it went; I say as far as it went, for its fault was its being, in the remedial part, miserably defective.

There are two capital faults in our law with relation to civil debts. One is, that every man is presumed solvent. A presumption, in innumerable cases, directly against truth. Therefore the debtor is ordered, on a supposition of ability and fraud, to be coerced his liberty until he makes payment. By this means, in all cases of civil insolvency, without a pardon from his creditor, he is to be imprisoned for life:—and thus a miserable mistaken invention of artificial science operates to change the civil into a criminal judgment, and to scourge misfortune or indiscretion with a punishment which the law does not inflict on the greatest crimes.

The next fault is, that the inflicting of that punishment is not on the opinion of an equal and public judge; but is referred to the arbitrary discretion of a private, nay interested, and irritated, individual. He, who formally is, and substantially ought to be, the judge, is in reality no more than ministerial, a mere executive instrument of a private man, who is at once judge and party. Every idea of judicial order is subverted by this procedure. If the insolvency be no crime, why is it punished with arbitrary imprisonment? If it be a crime, why is it delivered into private hands to pardon without discretion, or to punish without mercy and without measure?

To these faults, gross and cruel faults in our law, the excellent principle of Lord Beauchamp's bill applied some sort of remedy. I know that credit must be preserved; but equity

must be preserved too; and it is impossible that anything should be necessary to commerce, which is inconsistent with justice. The principle of credit was not weakened by that bill. God forbid! The enforcement of that credit was only put into the same public judicial hands on which we depend for our lives, and all that makes life dear to us. But, indeed, this business was taken up too warmly both here and elsewhere. The bill was extremely mistaken. It was supposed to enact what it never enacted; and complaints were made of clauses in it as novelties, which existed before the noble lord that brought in the bill was born. There was a fallacy that ran through the whole of the objections. The gentlemen who opposed the bill always argued, as if the option lay between that bill and the ancient law.—But this is a grand mistake. For, practically, the option is between, not that bill and the old law, but between that bill and those occasional laws, called acts of grace. For the operation of the old law is so savage, and so inconvenient to society, that for a long time past, once in every parliament, and lately twice, the legislature has been obliged to make a general arbitrary jail-delivery, and at once to set open, by its sovereign authority, all the prisons in England.

Gentlemen, I never relished acts of grace; nor ever submitted to them but from despair of better. They are a dishonourable invention, by which, not from humanity, not from policy, but merely because we have not room enough to hold these victims of the absurdity of our laws, we turn loose upon the public three or four thousand naked wretches, corrupted by the habits, debased by the ignominy, of a prison. If the creditor had a right to those carcases as a natural security for his property, I am sure we have no right to deprive him of that security. But if the few pounds of flesh were not necessary to his security, we had not a right to detain the unfortunate debtor, without any benefit at all to the person who confined him.—Take it as you will, we commit injustice. Now Lord Beauchamp's bill intended to do deliberately, and with great caution and circumspection, upon each several case, and with all attention to the just claimant, what acts of grace do in a much greater measure, and with very little care, caution, or deliberation.

I suspect that here too, if we contrive to oppose this bill,

we shall be found in a struggle against the nature of things. For as we grow enlightened, the public will not bear, for any length of time, to pay for the maintenance of whole armies of prisoners, nor, at their own expense, submit to keep jails as a sort of garrisons, merely to fortify the absurd principle of making men judges in their own cause. For credit has little or no concern in this cruelty. I speak in a commercial assembly. You know that credit is given, because capital *must* be employed; that men calculate the chances of insolvency; and they either withhold the credit, or make the debtor pay the risk in the price. The counting-house has no alliance with the jail. Holland understands trade as well as we, and she has done much more than this obnoxious bill intended to do. There was not, when Mr. Howard visited Holland, more than one prisoner for debt in the great city of Rotterdam. Although Lord Beauchamp's act (which was previous to this bill, and intended to feel the way for it) has already preserved liberty to thousands, and though it is not three years since the last act of grace passed, yet by Mr. Howard's last account, there were near three thousand again in jail. I cannot name this gentleman without remarking that his labours and writings have done much to open the eyes and hearts of mankind. He has visited all Europe,—not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art; not to collect medals, or collate manuscripts:—but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of discovery; a circumnavigation of charity. Already the benefit of his labour is felt more or less in every country: I hope he will anticipate his final reward by seeing all its effects fully realized in his own. He will receive, not by detail, but in gross, the reward of those who visit the prisoner; and he has so forestalled and monopolized this branch of charity, that there will be, I

trust, little room to merit by such acts of benevolence hereafter.

Nothing now remains to trouble you with, but the fourth charge against me—the business of the Roman Catholics. It is a business closely connected with the rest. They are all on one and the same principle. My little scheme of conduct, such as it is, is all arranged. I could do nothing but what I have done on this subject, without confounding the whole train of my ideas, and disturbing the whole order of my life. Gentlemen, I ought to apologize to you for seeming to think anything at all necessary to be said upon this matter. The calumny is fitter to be scrawled with the midnight chalk of incendiaries, with "No Popery," on walls and doors of devoted houses, than to be mentioned in any civilized company. I had heard, that the spirit of discontent on that subject was very prevalent here. With pleasure I find that I have been grossly misinformed. If it exists at all in this city, the laws have crushed its exertions, and our morals have shamed its appearance in day-light. I have pursued this spirit wherever I could trace it; but it still fled from me. It was a ghost which all had heard of, but none had seen. None would acknowledge that he thought the public proceeding with regard to our Catholic dissenters to be blameable; but several were sorry it had made an ill impression upon others, and that my interest was hurt by my share in the business. I find with satisfaction and pride, that not above four or five in this city (and I dare say these misled by some gross misrepresentation) have signed that symbol of delusion and bond of sedition, that libel on the national religion and English character, the Protestant Association. It is therefore, gentlemen, not by way of cure, but of prevention, and lest the arts of wicked men may prevail over the integrity of any one amongst us, that I think it necessary to open to you the merits of this transaction pretty much at large; and I beg your patience upon it: for, although the reasonings that have been used to depreciate the act are of little force, and though the authority of the men concerned in this ill design is not very imposing; yet the audaciousness of these conspirators against the national honour, and the extensive wickedness of their attempts, have raised persons of

little importance to a degree of evil eminence, and imparted a sort of sinister dignity to proceedings that had their origin in only the meanest and blindest malice.

In explaining to you the proceedings of parliament which have been complained of, I will state to you,—first, the thing that was done;—next, the persons who did it;—and lastly, the grounds and reasons upon which the legislature proceeded in this deliberate act of public justice and public prudence.

Gentlemen, the condition of our nature is such, that we buy our blessings at a price. The Reformation, one of the greatest periods of human improvement, was a time of trouble and confusion. The vast structure of superstition and tyranny, which had been for ages in rearing, and which was combined with the interest of the great and of the many, which was moulded into the laws, the manners, and civil institutions of nations, and blended with the frame and policy of states, could not be brought to the ground without a fearful struggle; nor could it fall without a violent concussion of itself and all about it. When this great revolution was attempted in a more regular mode by government, it was opposed by plots and seditions of the people; when by popular efforts, it was repressed as rebellion by the hand of power; and bloody executions (often bloodily returned) marked the whole of its progress through all its stages. The affairs of religion, which are no longer heard of in the tumult of our present contentions, made a principal ingredient in the wars and politics of that time; the enthusiasm of religion threw a gloom over the politics; and political interests poisoned and perverted the spirit of religion upon all sides. The Protestant religion in that violent struggle, infected, as the Popish had been before, by worldly interests and worldly passions, became a persecutor in its turn, sometimes of the new sects, which carried their own principles further than it was convenient to the original reformers; and always of the body from whom they parted: and this persecuting spirit arose, not only from the bitterness of retaliation, but from the merciless policy of fear.

It was long before the spirit of true piety and true wisdom, involved in the principles of the Reformation, could be depurated from the dregs and feculence of the contention

with which it was carried through. However, until this be done, the Reformation is not complete; and those who think themselves good Protestants, from their animosity to others, are in that respect no Protestants at all. It was at first thought necessary, perhaps, to oppose to Popery another Popery, to get the better of it. Whatever was the cause, laws were made in many countries, and in this kingdom in particular, against Papists, which are as bloody as any of those which had been enacted by the Popish princes and states; and where those laws were not bloody, in my opinion they were worse; as they were slow, cruel outrages on our nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. I pass those statutes, because I would spare your pious ears the repetition of such shocking things; and I come to that particular law, the repeal of which has produced so many unnatural and unexpected consequences.

A statute was fabricated in the year 1699, by which the saying mass (a church-service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offence whatsoever against the laws, or against good morals) was forged into a crime, punishable with perpetual imprisonment. The teaching school, a useful and virtuous occupation, even the teaching in a private family, was in every Catholic subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute on this law. Every Roman Catholic was, under the same act, to forfeit his estate to his nearest Protestant relation, until, through a profession of what he did not believe, he redeemed by his hypocrisy, what the law had transferred to the kinsman as the recompense of his profligacy. When thus turned out of doors from his paternal estate, he was disabled from acquiring any other by any industry, donation, or charity; but was rendered a foreigner in his native land, only because he retained the religion, along with the property, handed down to him from those who had been the old inhabitants of that land before him.

Does any one who hears me approve this scheme of things, or think there is common justice, common sense, or common

honesty in any part of it? If any does, let him say it, and I am ready to discuss the point with temper and candour. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

But what will you feel, when you know from history how this statute passed, and what were the motives, and what the mode of making it? A party in this nation, enemies to the system of the Revolution, were in opposition to the government of King William. They knew that our glorious deliverer was an enemy to all persecution. They knew that he came to free us from slavery and Popery, out of a country where a third of the people are contented Catholics under a Protestant government. He came with a part of his army composed of those very Catholics, to overset the power of a Popish prince. Such is the effect of a tolerating spirit; and so much is liberty served in every way, and by all persons, by a manly adherence to its own principles. Whilst freedom is true to itself, everything becomes subject to it; and its very adversaries are an instrument in its hands.

The party I speak of (like some amongst us who would disparage the best friends of their country) resolved to make the king either violate his principles of toleration, or incur the odium of protecting Papists. They therefore brought in this bill, and made it purposely wicked and absurd that it might be rejected. The then court-party, discovering their game, turned the tables on them, and returned their bill to them stuffed with still greater absurdities, that its loss might lie upon its original authors. They, finding their own ball thrown back to them, kicked it back again to their adversaries. And thus this act, loaded with the double injustice of two parties, neither of whom intended to pass what they hoped the other would be persuaded to reject, went through the legislature, contrary to the real wish of all parts of it, and of all the parties that composed it. In this manner these insolent and profligate factions, as if they were playing with balls and counters, made a sport of the fortunes and the liberties of their fellow-creatures. Other acts of persecution have been acts of malice. This was a subversion of justice from wantonness and petulance. Look into the history of Bishop Burnet. He is a witness without exception.

The effects of the act have been as mischievous as its origin was ludicrous and shameful. From that time every person of that communion, lay and ecclesiastic, has been obliged to fly from the face of day. The clergy, concealed in garrets of private houses, or obliged to take a shelter (hardly safe to themselves, but infinitely dangerous to their country) under the privileges of foreign ministers, officiated as their servants, and under their protection. The whole body of the Catholics, condemned to beggary and to ignorance in their native land, have been obliged to learn the principles of letters, at the hazard of all their other principles, from the charity of your enemies. They have been taxed to their ruin at the pleasure of necessitous and profligate relations, and according to the measure of their necessity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who stands near me in this hall. It is but six or seven years since a clergyman of the name of Malony, a man of morals, neither guilty nor accused of anything noxious to the state, was condemned to perpetual imprisonment for exercising the functions of his religion; and after lying in jail two or three years, was relieved by the mercy of government from perpetual imprisonment, on condition of perpetual banishment. A brother of the Earl of Shrewsbury, a Talbot, a name respectable in this country, whilst its glory is any part of its concern, was hauled to the bar of the Old Bailey, among common felons, and only escaped the same doom, either by some error in the process, or that the wretch who brought him there could not correctly describe his person; I now forget which.—In short, the persecution would never have relented for a moment, if the judges, superseding (though with an ambiguous example) the strict rule of their artificial duty by the higher obligation of their conscience, did not constantly throw every difficulty in the way of such informers. But so ineffectual is the power of legal evasion against legal iniquity, that it was but the other day, that a lady of condition, beyond the middle of life, was on the point of being stripped of her whole fortune by a near relation, to whom she had been a friend and benefactor: and she must have been totally ruined, without a power of redress or mitigation from the courts of law, had not the legislature itself rushed in, and by a special act of parliament rescued her

from the injustice of its own statutes. One of the acts authorizing such things was that which we in part repealed, knowing what our duty was; and doing that duty as men of honour and virtue, as good Protestants, and as good citizens. Let him stand forth that disapproves what we have done!

Gentlemen, bad laws are the worst sort of tyranny. In such a country as this they are of all bad things the worst, worse by far than anywhere else; and they derive a particular malignity even from the wisdom and soundness of the rest of our institutions. For very obvious reasons you cannot trust the crown with a dispensing power over any of your laws. However, a government, be it as bad as it may, will, in the exercise of a discretionary power, discriminate times and persons; and will not ordinarily pursue any man, when its own safety is not concerned. A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

In this situation men not only shrink from the frowns of a stern magistrate; but they are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse, in social habitudes. The blood of wholesome kindred is infected. Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted into instruments of terror and torment. This species of universal subserviency, that makes the very servant who waits behind your chair the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind, which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the jail-distemper of a contagious servitude, to keep him above ground an animated mass of putrefaction, corrupted himself, and corrupting all about him.

The act repealed was of this direct tendency; and it was made in the manner which I have related to you. I will now tell you by whom the bill of repeal was brought into parliament. I find it has been industriously given out in this city (from kindness to me, unquestionably) that I was the mover or the seconder. The fact is, I did not once open my lips on the subject during the whole progress of the bill. I do not say this as disclaiming my share in that measure. Very far from it. I inform you of this fact, lest I should seem to arrogate to myself the merits which belong to others. To have been the man chosen out to redeem our fellow-citizens from slavery, to purify our laws from absurdity and injustice, and to cleanse our religion from the blot and stain of persecution, would be an honour and happiness to which my wishes would undoubtedly aspire; but to which nothing but my wishes could possibly have entitled me. That great work was in hands in every respect far better qualified than mine. The mover of the bill was Sir George Savile.

When an act of great and signal humanity was to be done, and done with all the weight and authority that belonged to it, the world could cast its eyes upon none but him. I hope that few things which have a tendency to bless or to adorn life have wholly escaped my observation in my passage through it. I have sought the acquaintance of that gentleman, and have seen him in all situations. He is a true genius; with an understanding vigorous, and acute, and refined, and distinguishing even to excess; and illuminated with a most unbounded, peculiar, and original cast of imagination. With these he possesses many external and instrumental advantages; and he makes use of them all. His fortune is among the largest; a fortune which, wholly unencumbered, as it is, with one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser. This private benevolence, expanding itself into patriotism, renders his whole being the estate of the public, in which he has not reserved a *peculium* for himself of profit, diversion, or relaxation. During the session, the first in, and the last out of the House of Commons; he passes from the senate to the camp; and seldom seeing the seat of his ancestors, he is always in the senate to serve his country, or in the field to defend it. But in all well-wrought compositions, some particulars stand out more eminently than the rest;

and the things which will carry his name to posterity, are his two bills; I mean that for a limitation of the claims of the crown upon landed estates; and this for the relief of the Roman Catholics. By the former he has emancipated property; by the latter he has quieted conscience; and by both he has taught that grand lesson to government and subject, —no longer to regard each other as adverse parties.

Such was the mover of the act that is complained of by men, who are not quite so good as he is; an act, most assuredly not brought in by him from any partiality to that sect which is the object of it. For, among his faults, I really cannot help reckoning a greater degree of prejudice against that people than becomes so wise a man. I know that he inclines to a sort of disgust, mixed with a considerable degree of asperity, to the system; and he has few, or rather no, habits with any of its professors. What he has done was on quite other motives. The motives were these, which he declared in his excellent speech on his motion for the bill; namely, his extreme zeal to the Protestant religion, which he thought utterly disgraced by the act of 1699; and his rooted hatred to all kind of oppression, under any colour, or upon any pretence whatsoever.

The seconder was worthy of the mover, and of the motion. I was not the seconder; it was Mr. Dunning, Recorder of this city. I shall say the less of him, because his near relation to you makes you more particularly acquainted with his merits. But I should appear little acquainted with them, or little sensible of them, if I could utter his name on this occasion without expressing my esteem for his character. I am not afraid of offending a most learned body, and most jealous of its reputation for that learning, when I say he is the first of his profession. It is a point settled by those who settle everything else; and I must add (what I am enabled to say from my own long and close observation) that there is not a man, of any profession, or in any situation, of a more erect and independent spirit; of a more proud honour; a more manly mind; a more firm and determined integrity. Assure yourselves, that the names of two such men will bear a great load of prejudice in the other scale before they can be entirely outweighed.

With this mover, and this seconder, agreed the *whole*

House of Commons; the *whole* House of Lords; the *whole* bench of bishops; the king; the ministry; the opposition; all the distinguished clergy of the establishment; all the eminent lights (for they were consulted) of the dissenting churches. This according voice of national wisdom ought to be listened to with reverence. To say that all these descriptions of Englishmen unanimously concurred in a scheme for introducing the Catholic religion, or that none of them understood the nature and effects of what they were doing so well as a few obscure clubs of people, whose names you never heard of, is shamelessly absurd. Surely it is paying a miserable compliment to the religion we profess, to suggest, that everything eminent in the kingdom is indifferent, or even adverse, to that religion, and that its security is wholly abandoned to the zeal of those, who have nothing but their zeal to distinguish them. In weighing this unanimous concurrence of whatever the nation has to boast of, I hope you will recollect, that all these concurring parties do by no means love one another enough to agree in any point, which was not, both evidently and importantly, right.

To prove this; to prove that the measure was both clearly and materially proper, I will next lay before you (as I promised) the political grounds and reasons for the repeal of that penal statute; and the motives to its repeal at that particular time.

Gentlemen, America——when the English nation seemed to be dangerously, if not irrecoverably, divided; when one, and that the most growing branch, was torn from the parent stock, and ingrafted on the power of France, a great terror fell upon this kingdom. On a sudden we awakened from our dreams of conquest, and saw ourselves threatened with an immediate invasion; which we were at that time very ill prepared to resist. You remember the cloud that gloomed over us all. In that hour of our dismay, from the bottom of the hiding-places into which the indiscriminate rigour of our statutes had driven them, came out the body of the Roman Catholics. They appeared before the steps of a tottering throne, with one of the most sober, measured, steady, and dutiful addresses that was ever presented to the crown. It was no holiday ceremony; no anniversary compliment of parade and show. It was signed by almost every

gentleman of that persuasion, of note or property, in England. At such a crisis, nothing but a decided resolution to stand or fall with their country could have dictated such an address; the direct tendency of which was to cut off all retreat; and to render them peculiarly obnoxious to an invader of their own communion. The address showed what I long languished to see, that all the subjects of England had cast off all foreign views and connexions, and that every man looked for his relief from every grievance, at the hands only of his own natural government.

It was necessary, on our part, that the natural government should show itself worthy of that name. It was necessary, at the crisis I speak of, that the supreme power of the state should meet the conciliatory dispositions of the subject. To delay protection would be to reject allegiance. And why should it be rejected, or even coldly and suspiciously received? If any independent Catholic state should choose to take part with this kingdom in a war with France and Spain, that bigot (if such a bigot could be found) would be heard with little respect, who could dream of objecting his religion to an ally, whom the nation would not only receive with its freest thanks, but purchase with the last remains of its exhausted treasure. To such an ally we should not dare to whisper a single syllable of those base and invidious topics, upon which some unhappy men would persuade the state to reject the duty and allegiance of its own members. Is it then because foreigners are in a condition to set our malice at defiance, that with *them* we are willing to contract engagements of friendship, and to keep them with fidelity and honour; but that, because we conceive some descriptions of our countrymen are not powerful enough to punish our malignity, we will not permit them to support our common interest? Is it on that ground, that our anger is to be kindled by their offered kindness? Is it on that ground, that they are to be subjected to penalties, because they are willing, by actual merit, to purge themselves from imputed crimes? Lest by an adherence to the cause of their country, they should acquire a title to fair and equitable treatment, are we resolved to furnish them with causes of eternal enmity; and rather supply them with just and founded motives to disaffection, than not to have that dis-

affection in existence to justify an oppression, which, not from policy but disposition, we have predetermined to exercise?

What shadow of reason could be assigned, why, at a time when the most Protestant part of this Protestant empire found it for its advantage to unite with the two principal Popish states, to unite itself in the closest bonds with France and Spain, for our destruction, that we should refuse to unite with our own Catholic countrymen for our own preservation? Ought we, like madmen, to tear off the plasters, that the lenient hand of prudence had spread over the wounds and gashes, which in our delirium of ambition we had given to our own body? No person ever reprobated the American war more than I did, and do, and ever shall. But I never will consent that we should lay additional, voluntary penalties on ourselves, for a fault which carries but too much of its own punishment in its own nature. For one, I was delighted with the proposal of internal peace. I accepted the blessing with thankfulness and transport; I was truly happy to find *one* good effect of our civil distractions, that they had put an end to all religious strife and heart-burning in our own bowels. What must be the sentiments of a man, who would wish to perpetuate domestic hostility, when the causes of dispute are at an end; and who, crying out for peace with one part of the nation on the most humiliating terms, should deny it to those, who offer friendship without any terms at all?

But if I was unable to reconcile such a denial to the contracted principles of local duty, what answer could I give to the broad claims of general humanity? I confess to you freely, that the sufferings and distresses of the people of America, in this cruel war, have at times affected me more deeply than I can express. I felt every Gazette of triumph as a blow upon my heart, which has an hundred times sunk and fainted within me at all the mischiefs brought upon those who bear the whole brunt of war in the heart of their country. Yet the Americans are utter strangers to me; a nation among whom I am not sure that I have a single acquaintance. Was I to suffer my mind to be so unaccountably warped; was I to keep such iniquitous weights and measures of temper and of reason, as to sympathize with

those who are in open rebellion against an authority which I respect, at war with a country which by every title ought to be, and is, most dear to me; and yet to have no feeling at all for the hardships and indignities suffered by men, who, by their very vicinity, are bound up in a nearer relation to us; who contribute their share, and more than their share, to the common prosperity; who perform the common offices of social life, and who obey the laws, to the full as well as I do? Gentlemen, the danger to the state being out of the question, (of which, let me tell you, statesmen themselves are apt to have but too exquisite a sense,) I could assign no one reason of justice, policy, or feeling, for not concurring most cordially, as most cordially I did concur, in softening some part of that shameful servitude, under which several of my worthy fellow-citizens were groaning.

Important effects followed this act of wisdom. They appeared at home and abroad, to the great benefit of this kingdom; and, let me hope, to the advantage of mankind at large. It betokened union among ourselves. It showed soundness, even on the part of the persecuted, which generally is the weak side of every community. But its most essential operation was not in England. The act was immediately, though very imperfectly, copied in Ireland; and this imperfect transcript of an imperfect act, this first faint sketch of toleration, which did little more than disclose a principle, and mark out a disposition, completed in a most wonderful manner the re-union to the state of all the Catholics of that country. It made us what we ought always to have been, one family, one body, one heart and soul, against the family-combination, and all other combinations, of our enemies. We have indeed obligations to that people, who received such small benefits with so much gratitude; and for which gratitude and attachment to us, I am afraid they have suffered not a little in other places.

I dare say you have all heard of the privileges indulged to the Irish Catholics residing in Spain. You have likewise heard with what circumstances of severity they have been lately expelled from the sea-ports of that kingdom; driven into the inland cities; and there detained as a sort of prisoners of state. I have good reason to believe, that it was the zeal to our government and our cause, (somewhat indis-

crectly expressed in one of the addresses of the Catholics of Ireland,) which has thus drawn down on their heads the indignation of the court of Madrid; to the inexpressible loss of several individuals, and in future, perhaps, to the great detriment of the whole of their body. Now that our people should be persecuted in Spain for their attachment to this country, and persecuted in this country for their supposed enmity to us, is such a jarring reconciliation of contradictory distresses, is a thing at once so dreadful and ridiculous, that no malice short of diabolical would wish to continue any human creatures in such a situation. But honest men will not forget either their merit or their sufferings. There are men (and many, I trust, there are) who, out of love to their country and their kind, would torture their invention to find excuses for the mistakes of their brethren; and who, to stifle dissension, would construe even doubtful appearances with the utmost favour; such men will never persuade themselves to be ingenious and refined in discovering disaffection and treason in the manifest, palpable signs of suffering loyalty. Persecution is so unnatural to them, that they gladly snatch the very first opportunity of laying aside all the tricks and devices of penal politics; and of returning home, after all their irksome and vexatious wanderings, to our natural family mansion, to the grand social principle, that unites all men, in all descriptions, under the shadow of an equal and impartial justice.

Men of another sort, I mean the bigoted enemies to liberty, may perhaps, in their politics, make no account of the good or ill affection of the Catholics of England, who are but a handful of people, (enough to torment, but not enough to fear,) perhaps not so many, of both sexes and of all ages, as fifty thousand. But, gentlemen, it is possible you may not know, that the people of that persuasion in Ireland amount at least to sixteen or seventeen hundred thousand souls. I do not at all exaggerate the number. A *nation* to be persecuted! Whilst we were masters of the sea, embodied with America, and in alliance with half the powers of the continent, we might perhaps, in that remote corner of Europe, afford to tyrannize with impunity. But there is a revolution in our affairs, which makes it prudent to be just. In our late awkward contest with Ireland about trade, had religion

been thrown in, to ferment and embitter the mass of discontents, the consequences might have been truly dreadful. But very happily, that cause of quarrel was previously quieted by the wisdom of the acts I am commending.

Even in England, where I admit the danger from the discontent of that persuasion to be less than in Ireland; yet even here, had we listened to the counsels of fanaticism and folly, we might have wounded ourselves very deeply, and wounded ourselves in a very tender part. You are apprized, that the Catholics of England consist mostly of our best manufacturers. Had the legislature chosen, instead of returning their declarations of duty with correspondent goodwill, to drive them to despair, there is a country at their very door, to which they would be invited; a country in all respects as good as ours, and with the finest cities in the world ready built to receive them. And thus the bigotry of a free country, and in an enlightened age, would have repeopled the cities of Flanders, which, in the darkness of two hundred years ago, had been desolated by the superstition of a cruel tyrant. Our manufacturers were the growth of the persecutions in the Low Countries. What a spectacle would it be to Europe, to see us at this time of day balancing the account of tyranny with those very countries, and by our persecutions driving back trade and manufacture, as a sort of vagabonds, to their original settlement! But I trust we shall be saved this last of disgraces.

So far as to the effect of the act on the interests of this nation. With regard to the interests of mankind at large, I am sure the benefit was very considerable. Long before this act, indeed, the spirit of toleration began to gain ground in Europe. In Holland, the third part of the people are Catholics; they live at ease; and are a sound part of the state. In many parts of Germany, Protestants and Papists partake the same cities, the same councils, and even the same churches. The unbounded liberality of the king of Prussia's conduct on this occasion is known to all the world; and it is of a piece with the other grand maxims of his reign. The magnanimity of the imperial court, breaking through the narrow principles of its predecessors, has indulged its Protestant subjects, not only with property, with worship, with liberal education; but with honours and trusts, both civil

and military. A worthy Protestant gentleman of this country now fills, and fills with credit, a high office in the Austrian Netherlands. Even the Lutheran obstinacy of Sweden has thawed at length, and opened a toleration to all religions. I know myself, that in France the Protestants begin to be at rest. The army, which in that country is everything, is open to them; and some of the military rewards and decorations which the laws deny, are supplied by others, to make the service acceptable and honourable. The first minister of finance, in that country, is a Protestant. Two years' war without a tax is among the first-fruits of their liberality. Tarnished as the glory of this nation is, and as far as it has waded into the shades of an eclipse, some beams of its former illumination still play upon its surface; and what is done in England is still looked to, as argument and as example. It is certainly true, that no law of this country ever met with such universal applause abroad, or was so likely to produce the perfection of that tolerating spirit, which, as I observed, has been long gaining ground in Europe; for abroad, it was universally thought that we had done, what, I am sorry to say, we had not; they thought we had granted a full toleration. That opinion was however so far from hurting the Protestant cause, that I declare, with the most serious solemnity, my firm belief, that no one thing done for these fifty years past was so likely to prove deeply beneficial to our religion at large as Sir George Savile's act. In its effects it was "an act for tolerating and protecting Protestantism throughout Europe:" and I hope that those, who were taking steps for the quiet and settlement of our Protestant brethren in other countries, will, even yet, rather consider the steady equity of the greater and better part of the people of Great Britain, than the vanity and violence of a few.

I perceive, gentlemen, by the manner of all about me, that you look with horror on the wicked clamour which has been raised on this subject; and that instead of an apology for what was done, you rather demand from me an account, why the execution of the scheme of toleration was not made more answerable to the large and liberal grounds on which it was taken up? The question is natural and proper; and I remember that a great and learned magistrate,[1] distinguished

[1] The Chancellor.

for his strong and systematic understanding, and who at that time was a member of the House of Commons, made the same objection to the proceeding. The statutes, as they now stand, are, without doubt, perfectly absurd. But I beg leave to explain the cause of this gross imperfection, in the tolerating plan, as well and as shortly as I am able. It was universally thought, that the session ought not to pass over without doing *something* in this business. To revise the whole body of the penal statutes was conceived to be an object too big for the time. The penal statute, therefore, which was chosen for repeal, (chosen to show our disposition to conciliate, not to perfect a toleration,) was this act of ludicrous cruelty, of which I have just given you the history. It is an act, which, though not by a great deal so fierce and bloody as some of the rest, was infinitely more ready in the execution. It was the act which gave the greatest encouragement to those pests of society, mercenary informers, and interested disturbers of household peace; and it was observed with truth, that the prosecutions, either carried to conviction or compounded, for many years, had been all commenced upon that act. It was said, that, whilst we were deliberating on a more perfect scheme, the spirit of the age would never come up to the execution of the statutes which remained; especially as more steps, and a co-operation of more minds and powers, were required towards a mischievous use of them, than for the execution of the act to be repealed: that it was better to unravel this texture from below than from above, beginning with the latest, which, in general practice, is the severest evil. It was alleged, that this slow proceeding would be attended with the advantage of a progressive experience; and that the people would grow reconciled to toleration, when they should find by the effects, that justice was not so irreconcilable an enemy to convenience as they had imagined.

These, gentlemen, were the reasons why we left this good work in the rude, unfinished state, in which good works are commonly left, through the tame circumspection with which a timid prudence so frequently enervates beneficence. In doing good, we are generally cold, and languid, and sluggish; and of all things afraid of being too much in the right. But the works of malice and injustice are quite in another style.

They are finished with a bold, masterly hand; touched as they are with the spirit of those vehement passions that call forth all our energies, whenever we oppress and persecute.

Thus this matter was left for the time, with a full determination in parliament not to suffer other and worse statutes to remain for the purpose of counteracting the benefits proposed by the repeal of one penal law: for nobody then dreamed of defending what was done for a benefit, on the ground of its being no benefit at all. We were not then ripe for so mean a subterfuge.

I do not wish to go over the horrid scene that was afterwards acted. Would to God it could be expunged for ever from the annals of this country! But since it must subsist for our shame, let it subsist for our instruction. In the year 1780, there were found in this nation men deluded enough (for I give the whole to their delusion) on pretences of zeal and piety, without any sort of provocation whatsoever, real or pretended, to make a desperate attempt, which would have consumed all the glory and power of this country in the flames of London; and buried all law, order, and religion, under the ruins of the metropolis of the Protestant world. Whether all this mischief done, or in the direct train of doing, was in their original scheme, I cannot say; I hope it was not: but this would have been the unavoidable consequence of their proceedings, had not the flames they had lighted up in their fury been extinguished in their blood.

All the time that this horrid scene was acting or avenging, as well as for some time before, and ever since, the wicked instigators of this unhappy multitude, guilty, with every aggravation, of all their crimes, and screened in a cowardly darkness from their punishment, continued without interruption, pity, or remorse, to blow up the blind rage of the populace, with a continued blast of pestilential libels, which infected and poisoned the very air we breathed in.

The main drift of all the libels, and all the riots, was, to force parliament (to persuade us was hopeless) into an act of national perfidy, which has no example. For, gentlemen, it is proper you should all know what infamy we escaped by refusing that repeal, for a refusal of which, it seems, I, among others, stand somewhere or other accused. When we took away, on the motives which I had the honour of stating to

you, a few of the innumerable penalties upon an oppressed and injured people; the relief was not absolute, but given on a stipulation and compact between them and us: for we bound down the Roman Catholics with the most solemn oaths, to bear true allegiance to this government; to abjure all sort of temporal power in any other; and to renounce, under the same solemn obligations, the doctrines of systematic perfidy, with which they stood (I conceive very unjustly) charged. Now our modest petitioners came up to us, most humbly praying nothing more, than that we should break our faith, without any one cause whatsoever of forfeiture assigned; and when the subjects of this kingdom had, on their part, fully performed their engagement, we should refuse, on our part, the benefit we had stipulated on the performance of those very conditions that were prescribed by our own authority, and taken on the sanction of our public faith—that is to say, when we had inveigled them with fair promises within our door, we were to shut it on them; and, adding mockery to outrage—to tell them, "Now we have got you fast——your consciences are bound to a power resolved on your destruction. We have made you swear, that your religion obliges you to keep your faith: fools as you are! we will now let you see that our religion enjoins us to keep no faith with you."—They who would advisedly call upon us to do such things, must certainly have thought us not only a convention of treacherous tyrants, but a gang of the lowest and dirtiest wretches that ever disgraced humanity. Had we done this, we should have indeed proved, that there were *some* in the world whom no faith could bind; and we should have *convicted* ourselves of that odious principle of which Papists stood *accused* by those very savages, who wished us, on that accusation, to deliver them over to their fury.

In this audacious tumult, when our very name and character as gentlemen was to be cancelled for ever along with the faith and honour of the nation, I, who had exerted myself very little on the quiet passing of the bill, thought it necessary then to come forward. I was not alone: but though some distinguished members on all sides, and particularly on ours, added much to their high reputation by the part they took on that day, (a part which will be remembered as long as honour, spirit, and eloquence have estimation in the world,)

I may and will value myself so far, that, yielding in abilities to many, I yielded in zeal to none. With warmth and with vigour, and animated with a just and natural indignation, I called forth every faculty that I possessed, and I directed it in every way in which I could possibly employ it. I laboured night and day. I laboured in parliament: I laboured out of parliament. If therefore the resolution of the House of Commons, refusing to commit this act of unmatched turpitude, be a crime, I am guilty among the foremost. But, indeed, whatever the faults of that House may have been, no one member was found hardy enough to propose so infamous a thing; and on full debate we passed the resolution against the petitions with as much unanimity, as we had formerly passed the law, of which these petitions demanded the repeal.

There was a circumstance (justice will not suffer me to pass it over) which, if anything could enforce the reasons I have given, would fully justify the act of relief, and render a repeal, or anything like a repeal, unnatural, impossible. It was the behaviour of the persecuted Roman Catholics under the acts of violence and brutal insolence which they suffered. I suppose there are not in London less than four or five thousand of that persuasion from my country, who do a great deal of the most laborious works in the metropolis; and they chiefly inhabit those quarters, which were the principal theatre of the fury of the bigoted multitude. They are known to be men of strong arms, and quick feelings, and more remarkable for a determined resolution, than clear ideas, or much foresight. But though provoked by everything that can stir the blood of men, their houses and chapels in flames, and with the most atrocious profanations of everything which they hold sacred before their eyes, not a hand was moved to retaliate, or even to defend. Had a conflict ıce begun, the rage of their persecutors would have reoubled. Thus fury increasing by the reverberation of outges, house being fired for house, and church for chapel, I ı convinced, that no power under heaven could have prented a general conflagration; and at this day London ould have been a tale. But I am well informed, and the ing speaks it, that their clergy exerted their whole influence to keep their people in such a state of forbearance and quiet, as, when I look back, fills me with astonishment;

but not with astonishment only. Their merits on that occasion ought not to be forgotten; nor will they, when Englishmen come to recollect themselves. I am sure it were far more proper to have called them forth, and given them the thanks of both Houses of Parliament, than to have suffered those worthy clergymen, and excellent citizens, to be hunted into holes and corners, whilst we are making low-minded inquisitions into the number of their people; as if a tolerating principle was never to prevail, unless we were very sure that only a few could possibly take advantage of it. But indeed we are not yet well recovered of our fright. Our reason, I trust, will return with our security; and this unfortunate temper will pass over like a cloud.

Gentlemen, I have now laid before you a few of the reasons for taking away the penalties of the act of 1699, and for refusing to establish them on the riotous requisition of 1780. Because I would not suffer anything which may be for your satisfaction to escape, permit me just to touch on the objections urged against our act and our resolves, and intended as a justification of the violence offered to both Houses. "Parliament," they assert, "was too hasty, and they ought, in so essential and alarming a change, to have proceeded with a far greater degree of deliberation." The direct contrary. Parliament was too slow. They took fourscore years to deliberate on the repeal of an act which ought not to have survived a second session. When at length, after a procrastination of near a century, the business was taken up, it proceeded in the most public manner, by the ordinary stages, and as slowly as a law so evidently right as to be resisted by none would naturally advance. Had it been read three times in one day, we should have shown only a becoming readiness to recognise, by protection, the undoubted dutiful behaviour of those whom we had but too long punished for offences of presumption or conjecture. But for what end was that bill to linger beyond the usual period of an unopposed measure? Was it to be delayed until a rabble in Edinburgh should dictate to the church of England what measure of persecution was fitting for her safety? Was it to be adjourned until a fanatical force could be collected in London, sufficient to frighten us out of all our ideas of policy and justice? Were we to wait for the profound lectures on

the reason of state, ecclesiastical and political, which the Protestant Association have since condescended to read to us? Or were we, seven hundred peers and commoners, the only persons ignorant of the ribald invectives which occupy the place of argument in those remonstrances, which every man of common observation had heard a thousand times over, and a thousand times over had despised? All man had before heard what they have to say; and all men at this day know what they dare to do; and, I trust, all honest men are equally influenced by the one, and by the other.

But they tell us, that those our fellow-citizens, whose chains we have a little relaxed, are enemies to liberty and our free constitution.—Not enemies, I presume, to their *own* liberty. And as to the constitution, until we give them some share in it, I do not know on what pretence we can examine into their opinions about a business in which they have no interest or concern. But after all, are we equally sure, that they are adverse to our constitution, as that our statutes are hostile and destructive to them? For my part, I have reason to believe, their opinions and inclinations in that respect are various, exactly like those of other men: and if they lean more to the crown than I, and than many of you think *we* ought, we must remember, that he who aims at another's life, is not to be surprised if he flies into any sanctuary that will receive him. The tenderness of the executive power is the natural asylum of those upon whom the laws have declared war: and to complain that men are inclined to favour the means of their own safety, is so absurd, that one forgets the injustice in the ridicule.

I must fairly tell you, that, so far as my principles are concerned, (principles that I hope will only depart with my last breath,) I have no idea of a liberty unconnected with honesty and justice. Nor do I believe, that any good constitutions of government, or of freedom, can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republics have been, and are, full as capable as monarchs, of the most cruel oppression and injustice. It is but too true, that the love, and even the very idea, of genuine liberty is extremely rare. It

is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this Syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom, than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it: a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a com-

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whatever they might be, of a large part of the people, ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to; and that thereby the late horrid scenes might have been prevented.

I confess, my notions are widely different; and I never was less sorry for any action of my life. I like the bill the better, on account of the events of all kinds that followed it. It relieved the real sufferers; it strengthened the state; and, by the disorders that ensued, we had clear evidence that there lurked a temper somewhere, which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew, that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion, if they could: if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and draw ruin on themselves, that I am to be sorry that you are in possession of shops, and of warehouses, and of wholesome laws to protect them? Are you to build no houses, because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving, shall his destruction be attributed to your charity, and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate anything but themselves? Does evil so react upon good, as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such

cases, is to be implicitly obeyed; nearly two years' tranquillity, which followed the act, and its instant imitation in Ireland, proved abundantly, that the late horrible spirit was, in a great measure, the effect of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate, and much more general than I am persuaded it was—When we know, that the opinions of even the greatest multitudes are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am, that such *things*, as they and I, are possessed of no such power. No man carries further than I do the policy of making government pleasing to the people. But the widest range of this politic complaisance is confined within the limits of justice. I would not only consult the interest of the people, but I would cheerfully gratify their humours. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in any innocent buffooneries, to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient creature whatsoever, no, not so much as a kitling, to torment.

"But if I profess all this impolitic stubbornness, I may chance never to be elected into parliament." It is certainly not pleasing to be put out of the public service. But I wish to be a member of parliament, to have my share of doing good and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can never sufficiently express my gratitude to you for having set me in a place, wherein I could lend the slight-

est help to great and laudable designs. If I have had my share in any measure giving quiet to private property and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for his comfort to the good-will of his countrymen;—if I have thus taken my part with the best of men in the best of their actions, I can shut the book;—I might wish to read a page or two more—but this is enough for my measure.—I have not lived in vain.

And now, gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said, that, in the long period of my service, I have in a single instance sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged, that to gratify any anger or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind, that I have pushed the principles of general justice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me.—In every accident which may happen through life, in pain, in sorrow, in depression, and distress—I will call to mind this accusation; and be comforted.

Gentlemen, I submit the whole to your judgment. Mr. Mayor, I thank you for the trouble you have taken on this occasion: in your state of health, it is particularly obliging. If this company should think it advisable for me to withdraw, I shall respectfully retire; if you think otherwise, I shall go directly to the council-house and to the 'change, and, without a moment's delay, begin my canvass.

Bristol, September 6, 1780.

AT a great and respectable meeting of the friends of EDMUND BURKE, Esq., held at the Guildhall this day:

The Right Worshipful the Mayor in the chair:

Resolved, That Mr. Burke, as a representative for this city, has done all possible honour to himself as a senator and a man, and that we do heartily and honestly approve of his conduct, as the result of an enlightened loyalty to his sovereign; a warm and zealous love to his country, through its widely-extended empire; a jealous and watchful care of the liberties of his fellow-subjects; an enlarged and liberal understanding of our commercial interest; a humane attention to the circumstances of even the lowest ranks of the community; and a truly wise, politic, and tolerant spirit, in supporting the national church, with a reasonable indulgence to all who dissent from it: and we wish to express the most marked abhorrence of the base arts which have been employed, without regard to truth and reason, to misrepresent his eminent services to his country.

Resolved, That this resolution be copied out, and signed by the chairman, and be by him presented to Mr. Burke, as the fullest expression of the respectful and grateful sense we entertain of his merits and services, public and private, to the citizens of Bristol, as a man and a representative.

Resolved, That the thanks of this meeting be given to the right worshipful the Mayor, who so ably and worthily presided in this meeting.

Resolved, That it is the earnest request of this meeting to Mr. Burke, that he should again offer himself a candidate to represent this city in parliament; assuring him of that full and strenuous support which is due to the merits of so excellent a representative.

THIS business being over, Mr. Burke went to the Exchange, and offered himself as a candidate in the usual manner. He was accompanied to the Council-house, and from thence to the Exchange, by a large body of most respectable gentlemen, amongst whom were the following members of the corporation, viz. Mr. Mayor, Mr. Alderman Smith, Mr.

Alderman Deane, Mr. Alderman Gordon, William Weare, Samuel Munckley, John Merlott, John Crofts, Levy Ames, John Fisher Weare, Benjamin Loscombe, Philip Protheroe, Samuel Span, Joseph Smith, Richard Bright, and John Noble, Esquires.

SPEECH AT BRISTOL,

ON DECLINING THE POLL.

1780.

Bristol, Saturday, Sept. 9, 1780.

This morning the sheriff and candidates assembled as usual at the Council-house, and from thence proceeded to Guildhall. Proclamation being made for the electors to appear and give their votes, Mr. BURKE stood forward on the hustings, surrounded by a great number of the corporation and other principal citizens, and addressed himself to the whole assembly as follows:

GENTLEMEN,

I decline the election.—It has ever been my rule through life, to observe a proportion between my efforts and my objects. I have never been remarkable for a bold, active, and sanguine pursuit of advantages that are personal to myself.

I have not canvassed the whole of this city in form. But I have taken such a view of it as satisfies my own mind, that your choice will not ultimately fall upon me. Your city, gentlemen, is in a state of miserable distraction; and I am resolved to withdraw whatever share my pretensions may have had in its unhappy divisions. I have not been in haste; I have tried all prudent means; I have waited for the effect of all contingencies. If I were fond of a contest, by the partiality of my numerous friends, (whom you know to be

among the most weighty and respectable people of the city,) I have the means of a sharp one in my hands. But I thought it far better with my strength unspent, and my reputation unimpaired, to do, early and from foresight, that which I might be obliged to do from necessity at last.

I am not in the least surprised, nor in the least angry at this view of things. I have read the book of life for a long time, and I have read other books a little. Nothing has happened to me, but what has happened to men much better than me, and in times and in nations full as good as the age and country that we live in. To say that I am no way concerned, would be neither decent nor true. The representation of *Bristol* was an object on many accounts dear to me; and I certainly should very far prefer it to any other in the kingdom. My habits are made to it; and it is in general more unpleasant to be rejected after long trial, than not to be chosen at all.

But, gentlemen, I will see nothing except your former kindness, and I will give way to no other sentiments than those of gratitude. From the bottom of my heart I thank you for what you have done for me. You have given me a long term, which is now expired. I have performed the conditions, and enjoyed all the profits, to the full; and I now surrender your estate into your hands, without being in a single tile or a single stone impaired or wasted by my use. I have served the public for fifteen years. I have served you in particular for six. What is passed is well stored. It is safe, and out of the power of fortune. What is to come, is in wiser hands than ours; and He, in whose hands it is, best knows whether it is best for you and me that I should be in parliament, or even in the world.

Gentlemen, the melancholy event of yesterday reads to us an awful lesson against being too much troubled about any of the objects of ordinary ambition. The worthy gentleman,[1] who has been snatched from us at the moment of the election, and in the middle of the contest, whilst his desires were as warm and his hopes as eager as ours, has feelingly told us, what shadows we are, and what shadows we pursue.

It has been usual for a candidate who declines, to take his leave by a letter to the sheriffs; but I received your trust

[1] Mr. Coombe.

in the face of day, and in the face of day I accept your dismission. I am not,—I am not at all ashamed to look upon you; nor can my presence discompose the order of business here. I humbly and respectfully take my leave of the sheriffs, the candidates, and the electors; wishing heartily that the choice may be for the best, at a time which calls, if ever time did call, for service that is not nominal. It is no plaything you are about. I tremble when I consider the trust I have presumed to ask. I confided perhaps too much in my intentions. They were really fair and upright; and I am bold to say, that I ask no ill thing for you, when on parting from this place I pray that whomever you choose to succeed me, he may resemble me exactly in all things, except in my abilities to serve, and my fortune to please you.

is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this Syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom, than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it: a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a com-

great disgrace, or great glory, to the whole British nation. We are on a conspicuous stage, and the world marks our demeanour.

I am therefore a little concerned to perceive the spirit and temper in which the debate has been all along pursued upon one side of the House. The declamation of the gentlemen who oppose the bill has been abundant and vehement; but they have been reserved and even silent about the fitness or unfitness of the plan to attain the direct object it has in view. By some gentlemen it is taken up (by way of exercise I presume) as a point of law on a question of private property, and corporate franchise: by others it is regarded as the petty intrigue of a faction at court, and argued merely as it tends to set this man a little higher, or that a little lower, in situation and power. All the void has been filled with invectives against coalition; with allusions to the loss of America; with the activity and inactivity of ministers. The total silence of these gentlemen concerning the interest and well-being of the people of India, and concerning the interest which this nation has in the commerce and revenues of that country, is a strong indication of the value which they set upon these objects.

It has been a little painful to me to observe the intrusion into this important debate of such company as *quo warranto*, and *mandamus*, and *certiorari;* as if we were on a trial about mayors and aldermen, and capital burgesses; or engaged in a suit concerning the borough of Penryn, or Saltash, or St. Ives, or St. Mawes. Gentlemen have argued with as much heat and passion, as if the first things in the world were at stake; and their topics are such as belong only to matter of the lowest and meanest litigation. It is not right, it is not worthy of us, in this manner to depreciate the value, to degrade the majesty, of this grave deliberation of policy and empire.

For my part, I have thought myself bound, when a matter of this extraordinary weight came before me, not to consider (as some gentlemen are so fond of doing) whether the bill originated from a secretary of state for the home department, or from a secretary for the foreign, from a minister of influence, or a minister of the people; from Jacob, or from Esau.[1] I asked myself, and I asked myself nothing else,

[1] An allusion made by Mr. Powis.

what part of it was fit for a member of parliament, who has supplied a mediocrity of talents by the extreme of diligence, and who has thought himself obliged, by the research of years, to wind himself into the inmost recessses and labyrinths of the Indian detail, what part, I say, it became such a member of parliament to take, when a minister of state, in conformity to a recommendation from the throne, has brought before us a system for the better government of the territory and commerce of the East. In this light, and in this only, I will trouble you with my sentiments.

It is not only agreed, but demanded, by the right honourable gentleman,[1] and by those who act with him, that a *whole* system ought to be produced; that it ought not to be an *half measure;* that it ought to be no *palliative;* but a legislative provision, vigorous, substantial, and effective.—I believe that no man who understands the subject can doubt for a moment, that those must be the conditions of anything deserving the name of a reform in the Indian government; that anything short of them would not only be delusive, but, in this matter, which admits no medium, noxious in the extreme.

To all the conditions proposed by his adversaries the mover of the bill perfectly agrees; and on his performance of them he rests his cause. On the other hand, not the least objection has been taken, with regard to the efficiency, the vigour, or the completeness of the scheme. I am therefore warranted to assume, as a thing admitted, that the bills accomplish what both sides of the House demand as essential. The end is completely answered, so far as the direct and immediate object is concerned.

But though there are no direct, yet there are various collateral, objections made; objections from the effects which this plan of reform for Indian administration may have on the privileges of great public bodies in England; from its probable influence on the constitutional rights, or on the freedom and integrity, of the several branches of the legislature.

Before I answer these objections, I must beg leave to observe, that if we are not able to contrive some method of governing India *well*, which will not of necessity become the

[1] Mr. Pit.

means of governing Great Britain *ill*, a ground is laid for their eternal separation; but none for sacrificing the people of that country to our constitution. I am however far from being persuaded that any such incompatibility of interest does at all exist. On the contrary, I am certain that every means, effectual to preserve India from oppression, is a guard to preserve the British constitution from its worst corruption. To show this, I will consider the objections, which I think are four:

1st, That the bill is an attack on the chartered rights of men.

2dly, That it increases the influence of the crown.

3dly, That it does *not* increase, but diminishes, the influence of the crown, in order to promote the interests of certain ministers and their party.

4thly, That it deeply affects the national credit.

As to the first of these objections; I must observe that the phrase of "the chartered rights *of men*," is full of affectation; and very unusual in the discussion of privileges conferred by charters of the present description. But it is not difficult to discover what end that ambiguous mode of expression, so often reiterated, is meant to answer.

The rights of *men*, that is to say, the natural rights of mankind, are indeed sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power, and authority, by written instruments and positive engagements, they are in a still better condition: they partake not only of the sanctity of the object so secured, but of that solemn public faith itself, which secures an object of such importance. Indeed this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding, radical principles of government, and even of society itself. The charters, which we call by distinction *great*, are public instruments of this nature; I mean the charters of King John and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the *chartered rights of men.*

These charters have made the very name of a charter dear to the heart of every Englishman.—But, Sir, there may be, and there are charters, not only different in nature, but formed on principles the *very reverse* of those of the great charter. Of this kind is the charter of the East-India Company. *Magna Charta* is a charter to restrain power, and to destroy monopoly. The East-India charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are *not* the rights of men; and the rights to them derived from charters, it is fallacious and sophistical to call "the chartered rights of men." These chartered rights (to speak of such charters and of their effects in terms of the greatest possible moderation) do at least suspend the natural rights of mankind at large; and in their very frame and constitution are liable to fall into a direct violation of them.

It is a charter of this latter description (that is to say, a charter of power and monopoly) which is affected by the bill before you. The bill, Sir, does, without question, affect it; it does affect it essentially and substantially. But having stated to you of what description the chartered rights are which this bill touches, I feel no difficulty at all in acknowledging the existence of those chartered rights in their fullest extent. They belong to the Company in the surest manner; and they are secured to that body by every sort of public sanction. They are stamped by the faith of the king; they are stamped by the faith of parliament; they have been bought for money, for money honestly and fairly paid; they have been bought for valuable consideration, over and over again.

I therefore freely admit to the East-India Company their claim to exclude their fellow-subjects from the commerce of half the globe. I admit their claim to administer an annual territorial revenue of seven millions sterling; to command an army of sixty thousand men; and to dispose (under the control of a sovereign, imperial discretion, and with the due observance of the natural and local law) of the lives and fortunes of thirty millions of their fellow-creatures. All this they possess by charter, and by acts of parliament, (in my opinion,) without a shadow of controversy.

Those who carry the rights and claims of the Company the furthest, do not contend for more than this; and all this I

freely grant. But granting all this, they must grant to me in my turn, that all political power which is set over men, and that all privilege claimed or exercised in exclusion of them, being wholly artificial, and for so much a derogation from the natural equality of mankind at large, ought to be some way or other exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which can be original, self-derived rights, or grants for the mere private benefit of the holders, then such rights, or privileges, or whatever else you choose to call them, are all in the strictest sense a *trust;* and it is of the very essence of every trust to be rendered *accountable;* and even totally to *cease*, when it substantially varies from the purposes for which alone it could have a lawful existence.

This I conceive, Sir, to be true of trusts of power vested in the highest hands, and of such as seem to hold of no human creature. But about the application of this principle to subordinate, *derivative* trusts, I do not see how a controversy can be maintained. To whom then would I make the East-India Company accountable? Why, to parliament, to be sure; to parliament, from which their trust was derived; to parliament, which alone is capable of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter, which is held out to exclude parliament from correcting malversation with regard to the high trust vested in the Company, is the very thing which at once gives a title and imposes on us a duty to interfere with effect, wherever power and authority originating from ourselves are perverted from their purposes, and become instruments of wrong and violence.

If parliament, Sir, had nothing to do with this charter, we might have some sort of Epicurean excuse to stand aloof, indifferent spectators of what passes in the Company's name in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress; and for us passively to bear with oppressions committed under the sanction of our own authority, is in truth and reason for this House to be an active accomplice in the abuse.

That the power, notoriously, grossly abused, has been bought from us, is very certain. But this circumstance,

which is urged against the bill, becomes an additional motive for our interference; lest we should be thought to have sold the blood of millions of men, for the base consideration of money. We sold, I admit, all that we had to sell; that is, our authority, not our control. We had not a right to make a market of our duties.

I ground myself therefore on this principle—that if the abuse is proved, the contract is broken; and we re-enter into all our rights; that is, into the exercise of all our duties. Our own authority is indeed as much a trust originally, as the Company's authority is a trust derivatively; and it is the use we make of the resumed power that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the right honourable mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall; and by that test I trust that it will be found in the issue, that we are going to supersede a charter abused to the full extent of all the powers which it could abuse, and exercised in the plenitude of despotism, tyranny, and corruption; and that in one and the same plan, we provide a real chartered security for the *rights of men*, cruelly violated under that charter.

This bill, and those connected with it, are intended to form the *Magna Charta* of Hindostan. Whatever the treaty of Westphalia is to the liberty of the princes and free cities of the empire, and to the three religions there professed—Whatever the great charter, the statute of tallege, the petition of right, and the declaration of right, are to Great Britain, these bills are to the people of India. Of this benefit, I am certain, their condition is capable; and when I know that they are capable of more, my vote shall most assuredly be for our giving to the full extent of their capacity of receiving; and no charter of dominion shall stand as a bar in my way to their charter of safety and protection.

The strong admission I have made of the Company's rights (I am conscious of it) binds me to do a great deal. I do not presume to condemn those who argue *a priori*, against the propriety of leaving such extensive political powers in the hands of a company of merchants. I know much is, and much more may be, said against such a system. But, with my particular ideas and sentiments, I cannot go that way to

work. I feel an insuperable reluctance in giving my hand to destroy any established institution of government, upon a theory, however plausible it may be. My experience in life teaches me nothing clear upon the subject. I have known merchants with the sentiments and the abilities of great statesmen; and I have seen persons in the rank of statesmen, with the conceptions and characters of pedlars. Indeed, my observation has furnished me with nothing that is to be found in any habits of life or education, which tends wholly to disqualify men for the functions of government, but that by which the power of exercising those functions is very frequently obtained, I mean a spirit and habits of low cabal and intrigue; which I have never, in one instance, seen united with a capacity for sound and manly policy.

To justify us in taking the administration of their affairs out of the hands of the East-India Company, on my principles, I must see several conditions. 1st, The object affected by the abuse should be great and important. 2nd, The abuse affecting this great object ought to be a great abuse. 3rd, It ought to be habitual, and not accidental. 4th, It ought to be utterly incurable in the body as it now stands constituted. All this ought to be made as visible to me as the light of the sun, before I should strike off an atom of their charter. A right honourable gentleman[1] has said, and said I think but once, and that very slightly, (whatever his original demand for a plan might seem to require,) that "there are abuses in the Company's government." If that were all, the scheme of the mover of this bill, the scheme of his learned friend, and his own scheme of reformation, (if he has any,) are all equally needless. There are, and must be, abuses in all governments. It amounts to no more than a nugatory proposition. But before I consider of what nature these abuses are, of which the gentleman speaks so very lightly, permit me to recall to your recollection the map of the country which this abused chartered right affects. This I shall do, that you may judge whether in that map I can discover anything like the first of my conditions; that is, Whether the object affected by the abuse of the East-India Company's power be of importance sufficiently to justify the measure and means of reform applied to it in this bill.

[1] Mr. Pitt.

is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this Syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom, than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it: a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a com-

who wander on the waste borders of the river of Amazons, or the Plate; but a people for ages civilized and cultivated; cultivated by all the arts of polished life, whilst we were yet in the woods. There, have been (and still the skeletons remain) princes once of great dignity, authority, and opulence. There, are to be found the chiefs of tribes and nations. There, is to be found an ancient and venerable priesthood, the depository of their laws, learning, and history, the guides of the people whilst living, and their consolation in death; a nobility of great antiquity and renown; a multitude of cities, not exceeded in population and trade by those of the first class in Europe; merchants and bankers, individual houses of whom have once vied in capital with the bank of England; whose credit had often supported a tottering state, and preserved their governments in the midst of war and desolation; millions of ingenious manufacturers and mechanics; millions of the most diligent, and not the least intelligent, tillers of the earth. There, are to be found almost all the religions professed by men, the Braminical, the Mussulman, the Eastern and the Western Christian.

If I were to take the whole aggregate of our possessions there, I should compare it, as the nearest parallel I can find, with the empire of Germany. Our immediate possessions I should compare with the Austrian dominions, and they would not suffer in the comparison. The Nabob of Oude might stand for the king of Prussia; the Nabob of Arcot I would compare, as superior in territory, and equal in revenue, to the Elector of Saxony. Cheyt Sing, the Rajah of Benares, might well rank with the Prince of Hesse, at least; and the Rajah of Tanjore, (though hardly equal in extent of dominion, superior in revenue,) to the Elector of Bavaria. The Polygars and the northern Zemindars, and other great chiefs, might well class with the rest of the princes, dukes, counts, marquisses, and bishops in the empire; all of whom I mention to honour, and surely without disparagement to any or all of those most respectable princes and grandees.

All this vast mass, composed of so many orders and classes of men, is again infinitely diversified by manners, by religion, by hereditary employment, through all their possible combinations. This renders the handling of India a matter in a high degree critical and delicate. But oh! it has been

handled rudely indeed. Even some of the reformers seem to have forgot that they had anything to do but to regulate the tenants of a manor, or the shopkeepers of the next county town.

It is an empire of this extent, of this complicated nature, of this dignity and importance, that I have compared to Germany, and the German government; not for an exact resemblance, but as a sort of a middle term, by which India might be approximated to our understandings, and if possible to our feelings; in order to awaken something of sympathy for the unfortunate natives, of which I am afraid we are not perfectly susceptible, whilst we look at this very remote object through a false and cloudy medium.

My second condition, necessary to justify me in touching the charter, is, Whether the Company's abuse of their trust, with regard to this great object, be an abuse of great atrocity. I shall beg your permission to consider their conduct in two lights; first the political, and then the commercial. Their political conduct (for distinctness) I divide again into two heads; the external, in which I mean to comprehend their conduct in their federal capacity, as it relates to powers and states independent, or that not long since were such; the other internal, namely, their conduct to the countries either immediately subject to the Company, or to those who, under the apparent government of native sovereigns, are in a state much lower, and much more miserable, than common subjection.

The attention, Sir, which I wish to preserve to method will not be considered as unnecessary or affected. Nothing else can help me to selection out of the infinite mass of materials which have passed under my eye; or can keep my mind steady to the great leading points I have in view.

With regard therefore to the abuse of the external federal trust, I engage myself to you to make good these three positions:—First, I say, that from Mount Imaus, (or whatever else you call that large range of mountains that walls the northern frontier of India,) where it touches us in the latitude of twenty-nine, to Cape Comorin, in the latitude of eight, that there is not a *single* prince, state, or potentate, great or small, in India, with whom they have come into contact, whom they have not sold. I say *sold*, though some-

times they have not been able to deliver according to their bargain.—Secondly, I say, that there is not a *single treaty* they have ever made, which they have not broken.—Thirdly, I say, that there is not a single prince or state, who ever put any trust in the Company, who is not utterly ruined; and that none are in any degree secure or flourishing, but in the exact proportion to their settled distrust and irreconcileable enmity to this nation.

These assertions are universal. I say in the full sense *universal*. They regard the external and political trust only; but I shall produce others fully equivalent in the internal. For the present, I shall content myself with explaining my meaning; and if I am called on for proof whilst these bills are depending, (which I believe I shall not,) I will put my finger on the appendixes to the reports, or on papers of record in the House, or the committees, which I have distinctly present to my memory, and which I think I can lay before you at half an hour's warning.

The first potentate sold by the Company for money was the Great Mogul—the descendant of Tamerlane. This high personage, as high as human veneration can look at, is by every account amiable in his manners, respectable for his piety according to his mode, and accomplished in all the Oriental literature. All this, and the title derived under his *charter*, to all that we hold in India, could not save him from the general *sale*. Money is coined in his name; in his name justice is administered; he is prayed for in every temple through the countries we possess—but he was sold.

It is impossible, Mr. Speaker, not to pause here for a moment, to reflect on the inconstancy of human greatness, and the stupendous revolutions that have happened in our age of wonders. Could it be believed when I entered into existence, or when you, a younger man, were born, that on this day, in this House, we should be employed in discussing the conduct of those British subjects who had disposed of the power and person of the Grand Mogul? This is no idle speculation. Awful lessons are taught by it, and by other events, of which it is not yet too late to profit.

This is hardly a digression; but I return to the sale of the Mogul. Two districts, Corah and Allahabad, out of his immense grants, were reserved as a royal demesne to the

donor of a kingdom, and the rightful sovereign of so many nations.—After withholding the tribute of £260,000 a year, which the Company was, by the *charter* they had received from this prince, under the most solemn obligation to pay, these districts were sold to his chief minister Sujah ul Dowlah; and, what may appear to some the worst part of the transaction, these two districts were sold for scarcely two years' purchase. The descendant of Tamerlane now stands in need almost of the common necessaries of life; and in this situation we do not even allow him, as bounty, the smallest portion of what we owe him in justice.

The next sale was that of the whole nation of the Rohillas, which the grand salesman, without a pretence of quarrel, and contrary to his own declared sense of duty and rectitude, sold to the same Sujah ul Dowlah. He sold the people to utter *extirpation*, for the sum of four hundred thousand pounds. Faithfully was the bargain performed on our side. Hafiz Rhamet, the most eminent of their chiefs, one of the bravest men of his time, and as famous throughout the East for the elegance of his literature, and the spirit of his poetical compositions, (by which he supported the name of Hafiz,) as for his courage, was invaded with an army of an hundred thousand men, and an English brigade. This man, at the head of inferior forces, was slain valiantly fighting for his country. His head was cut off, and delivered for money to a barbarian. His wife and children, persons of that rank, were seen begging an handful of rice through the English camp. The whole nation, with inconsiderable exceptions, was slaughtered or banished. The country was laid waste with fire and sword; and that land, distinguished above most others by the cheerful face of paternal government and protected labour, the chosen seat of cultivation and plenty, is now almost throughout a dreary desert, covered with rushes and briers, and jungles full of wild beasts.

The British officer, who commanded in the delivery of the people thus sold, felt some compunction at his employment. He represented these enormous excesses to the president of Bengal, for which he received a severe reprimand from the civil governor; and I much doubt whether the breach caused by the conflict, between the compassion of the military and the firmness of the civil governor, be closed at this hour.

In Bengal, Seraja Dowlah was sold to Mir Jaffier; Mir Jaffier was sold to Mir Cossim; and Mir Cossim was sold to Mir Jaffier again. The succession to Mir Jaffier was sold to his eldest son;—another son of Mir Jaffier, Mobarech ul Dowlah, was sold to his step-mother.—The Maratta empire was sold to Rogabo; and Rogabo was sold and delivered to the Peishwa of the Marattas. Both Rogabo and the Peishwa of the Marattas were offered to sale to the Rajah of Berar. Scindia, the chief of Malva, was offered to sale to the same Rajah; and the Subah of the Decan was sold to the great trader Mahomet Ali, Nabob of Arcot To the same Nabob of Arcot they sold Hyder Ali and the kingdom of Mysore. To Mahomet Ali they twice sold the kingdom of Tanjore. To the same Mahomet Ali they sold at least twelve sovereign princes, called the Polygars. But to keep things even, the territory of Tinnivelly, belonging to their Nabob, they would have sold to the Dutch; and to conclude the account of sales, their great customer, the Nabob of Arcot himself, and his lawful succession, has been sold to his second son, Amir ul Omrah, whose character, views, and conduct are in the accounts upon your table. It remains with you whether they shall finally perfect this last bargain.

All these bargains and sales were regularly attended with the waste and havoc of the country, always by the buyer, and sometimes by the object of the sale. This was explained to you by the honourable mover, when he stated the mode of paying debts due from the country powers to the Company. An honourable gentleman, who is not now in his place, objected to his jumping near two thousand miles for an example. But the southern example is perfectly applicable to the northern claim, as the northern is to the southern; for, throughout the whole space of these two thousand miles, take your stand where you will, the proceeding is perfectly uniform, and what is done in one part will apply exactly to the other.

My second assertion is, that the Company never has made a treaty which they have not broken. This position is so connected with that of the sales of provinces and kingdoms, with the negotiation of universal distraction in every part of India, that a very minute detail may well be spared on this point. It has not yet been contended, by any enemy to the

is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this Syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom, than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it: a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a com-

treaty, was soon violated by the Company. Again the Company invaded the Maratta dominions. The disaster that ensued gave occasion to a new treaty. The whole army of the Company was obliged, in effect, to surrender to this injured, betrayed, and insulted people. Justly irritated, however, as they were, the terms which they prescribed were reasonable and moderate; and their treatment of their captive invaders of the most distinguished humanity. But the humanity of the Marattas was of no power whatsoever to prevail on the Company to attend to the observance of the terms dictated by their moderation. The war was renewed with greater vigour than ever; and such was their insatiable lust of plunder, that they never would have given ear to any terms of peace, if Hyder Ali had not broke through the Gauts, and, rushing like a torrent into the Carnatic, swept away everything in his career. This was in consequence of that confederacy, which by a sort of miracle united the most discordant powers for our destruction, as a nation in which no other could put any trust, and who were the declared enemies of the human species.

It is very remarkable, that the late controversy between the several presidencies, and between them and the court of directors, with relation to these wars and treaties, has not been, which of the parties might be defended for his share in them; but on which of the parties the guilt of all this load of perfidy should be fixed. But I am content to admit all these proceedings to be perfectly regular, to be full of honour and good faith; and wish to fix your attention solely to that single transaction which the advocates of this system select for so transcendent a merit, as to cancel the guilt of all the rest of their proceedings; I mean the late treaties with the Marattas.

I make no observation on the total cession of territory, by which they surrendered all they had obtained by their unhappy successes in war, and almost all they had obtained under the treaty of Poorunder. The restitution was proper, if it had been voluntary and seasonable. I attach on the spirit of the treaty the dispositions it showed, the provisions it made for a general peace, and the faith kept with allies and confederates; in order that the House may form a judgment,

from this chosen piece, of the use which has been made (and is likely to be made, if things continue in the same hands) of the trust of the federal powers of this country.

It was the wish of almost every Englishman, that the Maratta peace might lead to a general one; because the Maratta war was not only a part of a general confederacy formed against us, on account of the universal abhorrence of our conduct which prevailed in every state, and almost in every house in India. Mr. Hastings was obliged to pretend some sort of acquiescence in this general and rational desire. He therefore consented, in order to satisfy the point of honour of the Marattas, that an article should be inserted to admit Hyder Ali to accede to the pacification. But observe, Sir, the spirit of this man (which if it were not made manifest by a thousand things, and particularly by his proceedings with respect to Lord Macartney) would be sufficiently manifest by this.—What sort of article, think you, does he require this essential head of a solemn treaty of general pacification to be? In his instruction to Mr. Anderson, he desires him to admit "a *vague* article" in favour of Hyder. Evasion and fraud were the declared basis of the treaty. These *vague* articles, intended for a more vague performance, are the things which have damned our reputation in India.

Hardly was this vague article inserted, than, without waiting for any act on the part of Hyder, Mr. Hastings enters into a negotiation with the Maratta chief, Scindia, for a partition of the territories of the prince who was one of the objects to be secured by the treaty. He was to be parcelled out in three parts—one to Scindia; one to the Peishwa of the Marattas; and the third to the East-India Company, or to (the old dealer and chapman) Mahomet Ali.

During the formation of this project, Hyder dies; and before his son could take any one step, either to conform to the tenor of the article, or to contravene it, the treaty of partition is renewed on the old footing, and an instruction is sent to Mr. Anderson to conclude it in form.

A circumstance intervened, during the pendency of this negotiation, to set off the good faith of the Company with an additional brilliancy, and to make it sparkle and glow with a variety of splendid faces. General Matthews had reduced

that most valuable part of Hyder's dominions called the Country of Biddenore. When the news reached Mr. Hastings, he instructed Mr. Anderson to contend for an alteration in the treaty of partition, and to take the Biddenore country out of the common stock, which was to be divided, and to keep it for the Company.

The first ground for this variation was its being a separate conquest made before the treaty had actually taken place. Here was a new proof given of the fairness, equity, and moderation of the Company. But the second of Mr. Hastings's reasons for retaining the Biddenore as a separate portion, and his conduct on that second ground, is still more remarkable. He asserted that that country could not be put into the partition stock, because General Matthews had received it on the terms of some convention, which might be incompatible with the partition proposed. This was a reason in itself both honourable and solid; and it showed a regard to faith somewhere, and with some persons. But in order to demonstrate his utter contempt of the plighted faith which was alleged on one part as a reason for departing from it on another, and to prove his impetuous desire for sowing a new war, even in the prepared soil of a general pacification, he directs Mr. Anderson, if he should find strong difficulties impeding the partition, on the score of the subtraction of Biddenore, wholly to abandon that claim, and to conclude the treaty on the original terms. General Matthews's convention was just brought forward sufficiently to demonstrate to the Marattas the slippery hold which they had on their new confederate; on the other hand, that convention being instantly abandoned, the people of India were taught, that no terms on which they can surrender to the Company are to be regarded when further conquests are in view.

Next, Sir, let me bring before you the pious care that was taken of our allies under that treaty, which is the subject of the Company's applauses. These allies were Ragonaut Row, for whom we had engaged to find a throne; the Guickwar, (one of the Guzerat princes,) who was to be emancipated from the Maratta authority, and to grow great by several accessions of dominion; and lastly, the Rana of Gohud, with whom we had entered into a treaty of partition for eleven

sixteenths of our joint conquests. Some of these inestimable securities, called *vague* articles, were inserted in favour of them all.

As to the first, the unhappy abdicated peishwa, and pretender to the Maratta throne, Ragonaut Row, was delivered up to his people, with an article for safety, and some provision. This man, knowing how little vague the hatred of his countrymen was towards him, and well apprized of what black crimes he stood accused, (among which our invasion of his country would not appear the least,) took a moral alarm at the security we had provided for him. He was thunderstruck at the article in his favour, by which he was surrendered to his enemies. He never had the least notice of the treaty; and it was apprehended that he would fly to the protection of Hyder Ali, or some other, disposed or able to protect him. He was therefore not left without comfort; for Mr. Anderson did him the favour to send a special messenger, desiring him to be of good cheer and to fear nothing. And his old enemy, Scindia, at our request, sent him a message equally well calculated to quiet his apprehensions.

By the same treaty the Guickwar was to come again, with no better security, under the dominion of the Maratta state. As to the rana of Gohud, a long negotiation depended for giving him up. At first this was refused by Mr. Hastings with great indignation; at another stage it was admitted as proper, because he had shown himself a most perfidious person. But at length a method of reconciling these extremes was found out, by contriving one of the usual articles in his favour. What I believe will appear beyond all belief, Mr. Anderson exchanged the final ratifications of that treaty by which the rana was nominally secured in his possessions, in the camp of the Maratta chief, Scindia, whilst he was (really, and not nominally) battering the castle of Gualior, which we had given, agreeably to treaty, to this deluded ally. Scindia had already reduced the town; and was at the very time, by various detachments, reducing, one after another, the fortresses of our protected ally, as well as in the act of chastising all the rajahs who had assisted Colonel Camac in his invasion. I have seen in a letter from Calcutta, that the Rana of Gohud's agent would have represented these hostilities (which went hand in hand with the

protecting treaty) to Mr. Hastings; but he was not admitted to his presence.

In this manner the Company has acted with their allies in the Maratta war. But they did not rest here: the Marattas were fearful lest the persons delivered to them by that treaty should attempt to escape into the British territories, and thus might elude the punishment intended for them, and, by reclaiming the treaty, might stir up new disturbances. To prevent this, they desired an article to be inserted in the supplemental treaty, to which they had the ready consent of Mr. Hastings, and the rest of the Company's representatives in Bengal. It was this, "That the English and Maratta governments mutually agree not to afford refuge to any *chiefs, merchants, or other persons*, flying for protection to the territories of the other." This was readily assented to, and assented to without any exception whatever in favour of our surrendered allies. On their part a reciprocity was stipulated which was not unnatural for a government like the Company's to ask; a government conscious that many subjects had been, and would in future be, driven to fly from its jurisdiction.

To complete the system of pacific intention and public faith, which predominate in these treaties, Mr. Hastings fairly resolved to put all peace, except on the terms of absolute conquest, wholly out of his own power. For, by an article in this second treaty with Scindia, he binds the Company not to make any peace with Tippoo Saheb, without the consent of the Peishwa of the Marattas; and binds Scindia to him by a reciprocal engagement. The treaty between France and England obliges us mutually to withdraw our forces, if our allies in India do not accede to the peace within four months; Mr. Hastings's treaty obliges us to continue the war as long as the Peishwa thinks fit. We are now in that happy situation, that the breach of the treaty with France, or the violation of that with the Marattas, is inevitable; and we have only to take our choice.

My third assertion, relative to the abuse made of the right of war and peace, is, that there are none who have ever confided in us who have not been utterly ruined. The examples I have given of Ragonaut Row, of Guickwar, of the Rana of Gohud, are recent. There is proof more than enough in the condition of the Mogul; in the slavery and indigence of the

Nabob of Oude; the exile of the Rajah of Benares; the beggary of the Nabob of Bengal; the undone and captive condition of the Rajah and kingdom of Tanjore; the destruction of the Polygars; and, lastly, in the destruction of the Nabob of Arcot himself, who, when his dominions were invaded, was found entirely destitute of troops, provisions, stores, and (as he asserts) of money, being a million in debt to the Company, and four millions to others: the many millions which he had extorted from so many extirpated princes and their desolated countries, having (as he has frequently hinted) been expended for the ground-rent of his mansion-house in an alley in the suburbs of Madras. Compare the condition of all these princes with the power and authority of all the Maratta states; with the independence and dignity of the Subah of the Decan; and the mighty strength, the resources, and the manly struggle of Hyder Ali; and then the House will discover the effects on every power in India, of an easy confidence, or of a rooted distrust in the faith of the Company.

These are some of my reasons, grounded on the abuse of the external political trust of that body, for thinking myself not only justified, but bound, to declare against those chartered rights which produce so many wrongs. I should deem myself the wickedest of men, if any vote of mine could contribute to the continuance of so great an evil.

Now, Sir, according to the plan I proposed, I shall take notice of the Company's internal government, as it is exercised first on the dependent provinces, and then as it affects those under the direct and immediate authority of that body. And here, Sir, before I enter into the spirit of their interior government, permit me to observe to you, upon a few of the many lines of difference which are to be found between the vices of the Company's government, and those of the conquerors who preceded us in India; that we may be enabled a little the better to see our way in an attempt to the necessary reformation.

The several irruptions of Arabs, Tartars, and Persians into India were, for the greater part, ferocious, bloody, and wasteful in the extreme; our entrance into the dominion of that country was, as generally, with small comparative effusion of blood; being introduced by various frauds and delusions,

and by taking advantage of the incurable, blind, and senseless animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favour of the first conquerors is this; the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity; and children there beheld the monuments of their fathers. Here their lot was finally cast; and it is the natural wish of all, that their lot should not be cast in bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man; and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar lords to acts of rapacity or tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence and tyranny, they were still domestic hoards; and domestic profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play; the sources of acquisition were not dried up; and therefore the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself operated both for the preservation and the employment of national wealth. The husbandman and manufacturer paid heavy interest, but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure; and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous; but it is our protection that destroys India. It was their enmity, but it is our friendship. Our conquest there, after twenty years, is as crude as it was the first day. The natives scarcely know what it is to see the grey head of an Englishman. Young men (boys almost) govern there, without society and without sympathy with the natives. They have no more social habits with the people, than if they still resided in England; nor, indeed, any species of intercourse but that which is necessary to making

a sudden fortune, with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth, they roll in one after another; wave after wave; and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman is lost for ever to India. With us are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals,[1] no palaces, no schools; England has built no bridges, made no high-roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain, to tell that it had been possessed during the inglorious period of our dominion, by anything better than the ourang-outang or the tiger.

There is nothing in the boys we send to India worse than in the boys whom we are whipping at school, or that we see trailing a pike or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England; and the cries of India are given to seas and winds to be blown about, in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate by which sudden fortune is acquired; in England are often displayed by the same persons, the virtues which dispense hereditary wealth. Arrived in England, the

[1] The paltry foundation at Calcutta is scarcely worth naming as an exception.

destroyers of the nobility and gentry of a whole kingdom will find the best company in this nation, at a board of elegance and hospitality. Here the manufacturer and husbandman will bless the just and punctual hand that in India has torn the cloth from the loom, or wrested the scanty portion of rice and salt from the peasant of Bengal, or wrung from him the very opium in which he forgot his oppressions and his oppressor. They marry into your families; they enter into your senate; they ease your estates by loans; they raise their value by demand; they cherish and protect your relations which lie heavy on your patronage; and there is scarcely a house in the kingdom that does not feel some concern and interest, that makes all reform of our Eastern government appear officious and disgusting; and, on the whole, a most discouraging attempt. In such an attempt you hurt those who are able to return kindness, or to resent injury. If you succeed, you save those who cannot so much as give you thanks. All these things show the difficulty of the work we have on hand: but they show its necessity too. Our Indian government is in its best state a grievance. It is necessary that the correctives should be uncommonly vigorous; and the work of men, sanguine, warm, and even impassioned in the cause. But it is an arduous thing to plead against abuses of a power which originates from your own country, and affects those whom we are used to consider as strangers.

I shall certainly endeavour to modulate myself to this temper; though I am sensible that a cold style of describing actions, which appear to me in a very affecting light, is equally contrary to the justice due to the people, and to all genuine human feelings about them. I ask pardon of truth and nature for this compliance. But I shall be very sparing of epithets either to persons or things. It has been said (and, with regard to one of them, with truth) that Tacitus and Machiavel, by their cold way of relating enormous crimes, have in some sort appeared not to disapprove them; that they seem a sort of professors of the art of tyranny, and that they corrupt the minds of their readers, by not expressing the detestation and horror, that naturally belong to horrible and detestable proceedings. But we are in general, Sir, so little acquainted with Indian details; the instruments of oppression under which the people suffer are so hard to be

understood; and even the very names of the sufferers are so uncouth and strange to our ears, that it is very difficult for our sympathy to fix upon these objects. I am sure that some of us have come down-stairs from the committee-room, with impressions on our minds which to us were the inevitable results of our discoveries, yet if we should venture to express ourselves in the proper language of our sentiments to other gentlemen, not at all prepared to enter into the cause of them, nothing could appear more harsh and dissonant, more violent and unaccountable, than our language and behaviour. All these circumstances are not, I confess, very favourable to the idea of our attempting to govern India at all. But there we are; there we are placed by the Sovereign Disposer; and we must do the best we can in our situation. The situation of man is the preceptor of his duty.

Upon the plan which I laid down, and to which I beg leave to return, I was considering the conduct of the Company to those nations which are indirectly subject to their authority. The most considerable of the dependent princes is the Nabob of Oude. My right honourable friend,[1] to whom we owe the remedial bills on your table, has already pointed out to you, in one of the Reports, the condition of that prince, and as it stood in the time he alluded to. I shall only add a few circumstances that may tend to awaken some sense of the manner in which the condition of the people is affected by that of the prince, and involved in it; and to show you, that, when we talk of the sufferings of princes, we do not lament the oppression of individuals; and that in these cases the high and the low suffer together.

In the year 1779, the Nabob of Oude represented, through the British resident at his court, that the number of Company's troops stationed in his dominions was a main cause of his distress; and that all those which he was not bound by treaty to maintain should be withdrawn, as they had greatly diminished his revenue, and impoverished his country. I will read you, if you please, a few extracts from these representations.

He states, "that the country and cultivation are abandoned; and this year in particular, from the excessive drought of the season, deductions of many lacks having been allowed to the

[1] Mr. Fox.

farmers, who are still left unsatisfied;" and then he proceeds with a long detail of his own distress, and that of his family, and all his dependents; and adds, "that the new-raised brigade is not only quite useless to my government, but is moreover the cause of much loss, both in revenues and customs. The detached body of troops under European officers bring nothing *but confusion to the affairs of my government, and are entirely their own masters.*" Mr. Middleton, Mr. Hastings's confidential resident, vouches for the truth of this representation in its fullest extent. "I am concerned to confess that there is too good ground for this plea. *The misfortune has been general throughout the whole of the vizier's* [the Nabob of Oude] *dominions*, obvious to everybody; and so *fatal* have been its consequences, that no person of either credit or character would enter into engagements with government for farming the country." He then proceeds to give strong instances of the general calamity, and its effects.

It was now to be seen what steps the governor-general and council took for the relief of this distressed country, long labouring under the vexations of men, and now stricken by the hand of God. The case of a general famine is known to relax the severity even of the most rigorous government.—Mr. Hastings does not deny, or show the least doubt of the fact. The representation is humble and almost abject. On this representation from a great prince of the distress of his subjects, Mr. Hastings falls into a violent passion; such (as it seems) would be unjustifiable in any one who speaks of any part of *his* conduct. He declares "that the *demands*, the *tone* in which they were asserted, and the *season* in which they were made, are all equally alarming, and appear to him to require an adequate degree of firmness in this board, in *opposition* to them." He proceeds to deal out very unreserved language on the person and character of the Nabob and his ministers. He declares, that, in a division between him and the Nabob, "*the strongest must decide.*" With regard to the urgent and instant necessity, from the failure of the crops, he says, "that *perhaps* expedients *may be found* for affording a *gradual* relief from the burthen of which he so heavily complains, and it shall be my endeavour to seek them out;" and lest he should be suspected of too much haste to alleviate sufferings, and to remove violence, he says, "that these must

is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this Syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music.

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have been murdered by the zemindars, and those zemindars, instead of punishment, have been permitted to retain their zemindaries, with independent authority; *all* the other zemindars suffered to rise up in rebellion, and to insult the authority of the sircar, without any attempt made to suppress them; and the Company's debt, instead of being discharged by the assignments and extraordinary sources of money provided for that *purpose*, is *likely to exceed even the amount at which it stood at the time in which the arrangement with his Excellency was concluded.*" The House will smile at the resource on which the directors take credit as such a certainty in their curious account.

This is Mr. Hastings's own narrative of the effects of his own settlement. This is the state of the country which we have been told is in perfect peace and order; and, what is curious, he informs us, that *every part of this was foretold to him in the order and manner in which it happened*, at the very time he made his arrangement of men and measures.

The invariable course of the Company's policy is this: either they set up some prince too odious to maintain himself without the necessity of their assistance; or they soon render him odious, by making him the instrument of their government. In that case troops are bountifully sent to him to maintain his authority. That he should have no want of assistance, a civil gentleman, called a resident, is kept at his court, who, under pretence of providing duly for the pay of these troops, gets assignments on the revenue into his hands. Under his provident management, debts soon accumulate; new assignments are made for these debts; until, step by step, the whole revenue, and with it the whole power of the country, is delivered into his hands. The military do not behold without a virtuous emulation the moderate gains of the civil department. They feel that, in a country driven to habitual rebellion by the civil government, the military is necessary; and they will not permit their services to go unrewarded. Tracts of country are delivered over to their discretion. Then it is found proper to convert their commanding officers into farmers of revenue. Thus between the well-paid, civil, and well-rewarded military establishment, the situation of the natives may be easily conjectured. The authority of the regular and lawful government is everywhere

and in every point extinguished. Disorders and violences arise; they are repressed by other disorders and other violences. Wherever the collectors of the revenue, and the farming colonels and majors, move, ruin is about them, rebellion before and behind them. The people in crowds fly out of the country; and the frontier is guarded by lines of troops, not to exclude an enemy, but to prevent the escape of the inhabitants.

By these means, in the course of not more than four or five years, this once opulent and flourishing country, which, by the accounts given in the Bengal consultations, yielded more than three crore of Sicca rupees, that is, above three millions sterling annually, is reduced, as far as I can discover, in a matter purposely involved in the utmost perplexity, to less than one million three hundred thousand pounds, and that exacted by every mode of rigour that can be devised. To complete the business, most of the wretched remnants of this revenue are mortgaged, and delivered into the hands of the usurers at Benares (for there alone are to be found some lingering remains of the ancient wealth of these regions) at an interest of near *thirty per cent. per annum.*

The revenues in this manner failing, they seized upon the estates of every person of eminence in the country, and, under the name of *resumption*, confiscated their property. I wish, Sir, to be understood universally and literally, when I assert, that there is not left one man of property and substance for his rank, in the whole of these provinces, in provinces which are nearly the extent of England and Wales taken together. Not one landholder, not one banker, not one merchant, not one even of those who usually perish last, the *ultimum moriens* in a ruined state, not one farmer of revenue.

One country for a while remained, which stood as an island in the midst of the grand waste of the Company's dominion. My right honourable friend, in his admirable speech on moving the bill, just touched the situation, the offences, and the punishment of a native prince, called Fizulla Khân. This man, by policy and force, had protected himself from the general extirpation of the Rohilla chiefs. He was secured (if that were any security) by a treaty. It was stated to you, as it was stated by the enemies of that unfortunate man

—"that the whole of his country *is* what the whole country of the Rohillas *was*, cultivated like a garden, without one neglected spot in it."—Another accuser says, "Fyzoolah Khan, though a bad soldier, [that is the true source of his misfortune,] has approved himself a good aumil; having, it is supposed, in the course of a few years, at least *doubled* the population and revenue of his country."—In another part of the correspondence he is charged with making his country an asylum for the oppressed peasants, who fly from the territories of Oude. The improvement of his revenue, arising from this single crime, (which Mr. Hastings considers as tantamount to treason,) is stated at a hundred and fifty thousand pounds a year.

Dr. Swift somewhere says, that he who could make two blades of grass grow where but one grew before, was a greater benefactor to the human race than all the politicians that ever existed. This prince, who would have been deified by antiquity, who would have been ranked with Osiris, and Bacchus, and Ceres, and the divinities most propitious to men, was, for those very merits, by name attacked by the Company's government, as a cheat, a robber, a traitor. In the same breath in which he was accused as a rebel, he was ordered at once to furnish 5000 horse. On delay, or (according to the technical phrase, when any remonstrance is made to them) "*on evasion*," he was declared a violator of treaties, and everything he had was to be taken from him.—Not one word, however, of horse in this treaty.

The territory of this Fizulla Khân, Mr. Speaker, is less than the county of Norfolk. It is an inland country, full seven hundred miles from any seaport, and not distinguished for any one considerable branch of manufacture whatsoever. From this territory several very considerable sums had at several times been paid to the British resident. The demand of cavalry, without a shadow or decent pretext of right, amounted to three hundred thousand a year more, at the lowest computation; and it is stated, by the last person sent to negotiate, as a demand of little use, if it could be complied with; but that the compliance was impossible, as it amounted to more than his territories could supply, if there had been no other demand upon him—three hundred thousand pounds a year from an inland country not so large as Norfolk!

The thing most extraordinary was to hear the culprit defend himself from the imputation of his virtues, as if they had been the blackest offences. He extenuated the superior cultivation of his country. He denied its population. He endeavoured to prove that he had often sent back the poor peasant that sought shelter with him.—I can make no observation on this.

After a variety of extortions and vexations, too fatiguing to you, too disgusting to me, to go through with, they found "that they ought to be in a better state to warrant forcible means;" they therefore contented themselves with a gross sum of 150,000 pounds for their present demand. They offered him indeed an indemnity from their exactions in future for three hundred thousand pounds more. But he refused to buy their securities; pleading (probably with truth) his poverty; but if the plea were not founded, in my opinion very wisely; not choosing to deal any more in that dangerous commodity of the Company's faith; and thinking it better to oppose distress and unarmed obstinacy to uncoloured exaction, than to subject himself to be considered as a cheat, if he should make a treaty in the least beneficial to himself.

Thus they executed an exemplary punishment on Fizulla Khân for the culture of his country. But, conscious that the prevention of evils is the great object of all good regulation, they deprived him of the means of increasing that criminal cultivation in future, by exhausting his coffers; and, that the population of his country should no more be a standing reproach and libel on the Company's government, they bound him, by a positive engagement, not to afford any shelter whatsoever to the farmers and labourers, who should seek refuge in his territories from the exactions of the British residents in Oude. When they had done all this effectually, they gave him a full and complete acquittance from all charges of rebellion, or of any intention to rebel, or of his having originally had any interest in, or any means of, rebellion.

These intended rebellions are one of the Company's standing resources. When money has been thought to be heaped up anywhere, its owners are universally accused of rebellion, until they are acquitted of their money and their treasons at

once. The money once taken, all accusation, trial, and punishment ends. It is so settled a resource, that I rather wonder how it comes to be omitted in the directors' account: but I take it for granted this omission will be supplied in their next edition.

The Company stretched this resource to the full extent, when they accused two old women, in the remotest corner of India, (who could have no possible view or motive to raise disturbances,) of being engaged in rebellion, with an intent to drive out the English nation, in whose protection, purchased by money and secured by treaty, rested the sole hope of their existence. But the Company wanted money, and the old women *must* be guilty of a plot. They were accused of rebellion, and they were convicted of wealth. Twice had great sums been extorted from them, and as often had the British faith guaranteed the remainder. A body of British troops, with one of the military farmers-general at their head, was sent to seize upon the castle in which these helpless women resided. Their chief eunuchs, who were their agents, their guardians, protectors, persons of high rank according to the Eastern manners, and of great trust, were thrown into dungeons, to make them discover their hidden treasures; and there they lie at present. The lands assigned for the maintenance of the women were seized and confiscated. Their jewels and effects were taken, and set up to a pretended auction in an obscure place, and bought at such a price as the gentlemen thought proper to give. No account has ever been transmitted of the articles or produce of this sale. What money was obtained is unknown, or what terms were stipulated for the maintenance of these despoiled and forlorn creatures; for by some particulars it appears as if an engagement of the kind was made.

Let me here remark, once for all, that though the act of 1773 requires that an account of all proceedings should be diligently transmitted, that this, like all the other injunctions of the law, is totally despised; and that half at least of the most important papers are intentionally withheld.

I wish you, Sir, to advert particularly, in this transaction, to the quality and the numbers of the persons spoiled, and the instrument by whom that spoil was made. These ancient matrons, called the Begums, or Princesses, were of

the first birth and quality in India, the one mother, the other wife, of the late Nabob of Oude, Sujah Dowlah, a prince possessed of extensive and flourishing dominions, and the second man in the Mogul empire. This prince (suspicious, and not unjustly suspicious, of his son and successor) at his death committed his treasures and his family to the British faith. That family and household consisted of *two thousand women;* to which were added two other seraglios of near kindred, and said to be extremely numerous, and (as I am well informed) of about fourscore of the Nabob's children, with all the eunuchs, the ancient servants, and a multitude of the dependents of his splendid court. These were all to be provided, for present maintenance and future establishment, from the lands assigned as dower, and from the treasures which he left to these matrons, in trust for the whole family.

So far as to the objects of the spoil. The *instrument* chosen by Mr. Hastings to despoil the relict of Sujah Dowlah was *her own son,* the reigning Nabob of Oude. It was the pious hand of a son that was selected to tear from his mother and grandmother the provision of their age, the maintenance of his brethren, and of all the ancient household of his father. [Here a laugh from some young members.]—The laugh is *seasonable,* and the occasion decent and proper.

By the last advices something of the sum extorted remained unpaid. The women in despair refuse to deliver more, unless their lands are restored, and their ministers released from prison: but Mr. Hastings and his council, steady to their point, and consistent to the last in their conduct, write to the resident to stimulate the son to accomplish the filial acts he had brought so near to their perfection. "We desire," say they in their letter to the resident, (written so late as March last,) "that you will inform us if any, and what means, have been taken for recovering the balance due from the Begum [Princess] at Fizabad; and that, if necessary, you *recommend* it to the vizier to enforce *the most effectual means* for that purpose."

What their effectual means of enforcing demands on women of high rank and condition are I shall show you, Sir, in a few minutes; when I represent to you another of these plots and rebellions, which *always,* in India, though so *rarely*

anywhere else, are the offspring of an easy condition and hoarded riches.

Benares is the capital city of the Indian religion. It is regarded as holy by a particular and distinguished sanctity; and the Gentoos in general think themselves as much obliged to visit it once in their lives, as the Mahometans to perform their pilgrimage to Mecca. By this means that city grew great in commerce in opulence: and so effectually was it secured by the pious veneration of that people, that in all wars and in all violences of power, there was so sure an asylum, both for poverty and wealth, (as it were under a divine protection,) that the wisest laws and best-assured free constitution could not better provide for the relief of the one, or the safety of the other; and this tranquillity influenced to the greatest degree the prosperity of all the country, and the territory of which it was the capital. The interest of money there was not more than half the usual rate in which it stood in all other places. The Reports have fully informed you of the means and of the terms in which this city and the territory called Gazipour, of which it was the head, came under the sovereignty of the East-India Company.

If ever there was a subordinate dominion pleasantly circumstanced to the superior power, it was this; a large rent or tribute, to the amount of two hundred and sixty thousand pounds a year, was paid in monthly instalments with the punctuality of a dividend at the bank. If ever there was a prince who could not have an interest in disturbances, it was its sovereign, the Rajah Cheit Sing. He was in possession of the capital of his religion, and a willing revenue was paid by the devout people who resorted to him from all parts. His sovereignty and his independence, except his tribute, were secured by every tie. His territory was not much less than half of Ireland, and displayed in all parts a degree of cultivation, ease, and plenty, under his frugal and paternal management, which left him nothing to desire, either for honour or satisfaction.

This was the light in which this country appeared to almost every eye. But Mr. Hastings beheld it askance. Mr. Hastings tells us that it was *reported* of this Cheit Sing, that his father had left him a million sterling, and that he

made annual accessions to the hoard. Nothing could be so obnoxious to indigent power. So much wealth could not be innocent. The House is fully acquainted with the unfounded and unjust requisitions which were made upon this prince. The question has been most ably and conclusively cleared up in one of the Reports of the select committee, and in an answer of the court of directors to an extraordinary publication against them by their servant, Mr. Hastings. But I mean to pass by these exactions, as if they were perfectly just and regular; and having admitted them, I take what I shall now trouble you with, only as it serves to show the spirit of the Company's government, the mode in which it is carried on, and the maxims on which it proceeds.

Mr. Hastings, from whom I take the doctrine, endeavours to prove that Cheit Sing was no sovereign prince; but a mere zemindar or common subject, holding land by rent. If this be granted to him, it is next to be seen under what terms he is of opinion such a landholder, that is a British subject, holds his life and property under the Company's government. It is proper to understand well the doctrines of the person whose administration has lately received such distinguished approbation from the Company. His doctrine is—"that the Company, or the *person delegated by it*, holds *an absolute* authority over such zemindars;—that he [such a subject] owes *an implicit* and *unreserved* obedience to its authority, at the *forfeiture* even of his *life* and *property*, at the DISCRETION of those who held *or fully represented* the sovereign authority;—and that *these* rights are *fully* delegated to *him*, Mr. Hastings."

Such is a British governor's idea of the condition of a great zemindar holding under a British authority; and this kind of authority he supposes fully delegated to *him;* though no such delegation appears in any commission, instruction, or act of parliament. At his *discretion* he may demand, of the substance of any zemindar over and above his rent or tribute, even what he pleases, with a sovereign authority; and if he does not yield an *implicit unreserved* obedience to all his commands, he forfeits his lands, his life, and his property, at Mr. Hastings's *discretion*. But extravagant, and even frantic, as these positions appear, they are less so than what I shall now read to you; for he asserts, that if any one

should urge an exemption from more than a stated payment, or should consider the deeds, which passed between him and the board, "as bearing *the quality and force* of a treaty between equal states," he says, "that such an opinion is itself criminal to the state of which he is a subject; and that he was himself amenable to its justice, if he gave *countenance* to such a *belief*." Here is a new species of crime invented, that of countenancing a belief—but a belief of what? A belief of that which the court of directors, Hastings's masters, and a committee of this House, have decided as this prince's indisputable right.

But supposing the Rajah of Benares to be a mere subject, and that subject a criminal of the highest form; let us see what course was taken by an upright English magistrate. Did he cite this culprit before his tribunal? Did he make a charge? Did he produce witnesses? These are not forms; they are parts of substantial and eternal justice. No, not a word of all this; Mr. Hastings concludes him, *in his own mind*, to be guilty; he makes this conclusion on reports, on hearsays, on appearances, on rumours, on conjectures, on presumptions; and even these never once hinted to the party, nor publicly to any human being, till the whole business was done.

But the governor tells you his motive for this extraordinary proceeding, so contrary to every mode of justice towards either a prince or a subject, fairly and without disguise; and he puts into your hands the key of his whole conduct:—"I will suppose, for a moment, that I have acted with unwarrantable rigour towards Cheit Sing, and even with injustice.—Let my MOTIVE be consulted. I left Calcutta, impressed with a belief that *extraordinary means* were necessary, and those exerted with a *steady hand*, to preserve the Company's *interests from sinking under the accumulated weight which oppressed them.* I saw a *political necessity* for curbing the *overgrown* power of a great member of their dominion, and *for making it contribute to the relief of their pressing exigences.*" This is plain speaking; after this, it is no wonder that the Rajah's wealth and his offence, the necessities of the judge, and the opulence of the delinquent, are never separated through the whole of Mr. Hastings's apology. "The justice and *policy* of exacting *a large pecuniary mulct.*" The

resolution "*to draw from his guilt* the means *of relief to the Company's distresses.*" His determination "to make him *pay largely* for his pardon, or to execute a severe vengeance for past delinquency." That "as his *wealth was great*, and the *Company's exigences* pressing, he thought it a measure of justice and policy to exact from him a large pecuniary mulct *for their relief.*"—"The sum" (says Mr. Wheler, bearing evidence, at his desire, to his intentions) "to which the governor declared his resolution to extend his fine, was forty or fifty lacks, *that is, four or five hundred thousand pounds;* and that if he refused, he was to be removed from his zemindary entirely; or by taking possession of his forts, to obtain, *out of the treasure deposited in them*, the above sum for the Company."

Crimes so convenient, crimes so politic, crimes so necessary, crimes so alleviating of distress, can never be wanting to those who use no process, and who produce no proofs.

But there is another serious part (what is not so?) in this affair. Let us suppose that the power, for which Mr. Hastings contends, a power which no sovereign ever did or ever can vest in any of his subjects, namely, his own sovereign authority, to be conveyed by the act of parliament to any man or body of men whatsoever; it certainly was never given to Mr. Hastings. The powers given by the act of 1773 were formal and official: they were given not to the governor-general, but to the major vote of the board, as a board, on discussion amongst themselves, in their public character and capacity; and their acts in that character and capacity were to be ascertained by records and minutes of council. The despotic acts exercised by Mr. Hastings were done merely in his *private* character; and, if they had been moderate and just, would still be the acts of an usurped authority, and without any one of the legal modes of proceeding which could give him competence for the most trivial exertion of power. There was no proposition or deliberation whatsoever in council, no minute on record, by circulation or otherwise, to authorize his proceedings. No delegation of power to impose a fine, or to take any step to deprive the Rajah of Benares of his government, his property, or his liberty. The minutes of consultation assign to his journey a totally different object, duty, and destination. Mr. Wheler,

at his desire, tells us long after, that he had a confidential conversation with him on various subjects, of which this was the principal, in which Mr. Hastings notified to him his secret intentions; "and that he *bespoke* his support of the measures which he intended to pursue towards him (the Rajah)." This confidential discourse, and *bespeaking* of support, could give him no power, in opposition to an express act of parliament, and the whole tenor of the orders of the court of directors.

In what manner the powers thus usurped were employed, is known to the whole world. All the House knows, that the design on the Rajah proved as unfruitful as it was violent. The unhappy prince was expelled, and his more unhappy country was enslaved and ruined; but not a rupee was acquired. Instead of a treasure to recruit the Company's finances, wasted by their wanton wars and corrupt jobs, they were plunged into a new war which shook their power in India to its foundation; and, to use the governor's own happy simile, might have dissolved it like a magic structure, if the talisman had been broken.

But the success is no part of my consideration, who should think just the same of this business, if the spoil of one Rajah had been fully acquired, and faithfully applied to the destruction of twenty other Rajahs. Not only the arrest of the Rajah in his palace was unnecessary and unwarrantable, and calculated to stir up any manly blood which remained in his subjects; but the despotic style, and the extreme insolence of language and demeanour, used to a person of great condition among the politest people in the world, was intolerable. Nothing aggravates tyranny so much as contumely. *Quicquid superbia in contumeliis* was charged by a great man of antiquity, as a principal head of offence against the governor-general of that day. The unhappy people were still more insulted. A relation, but an *enemy* to the family, a notorious robber and villain, called Ussaun Sing, kept as a hawk in a mew, to fly upon this nation, was set up to govern there, instead of a prince honoured and beloved. But when the business of insult was accomplished, the revenue was too serious a concern to be intrusted to such hands. Another was set up in his place, as guardian to an infant.

But here, Sir, mark the effect of all these *extraordinary*

means, of all this policy and justice. The revenues, which had been hitherto paid with such astonishing punctuality, fell into arrear. The new prince-guardian was deposed without ceremony; and, with as little, cast into prison. The government of that once happy country has been in the utmost confusion ever since such good order was taken about it. But, to complete the contumely offered to this undone people, and to make them feel their servitude in all its degradation, and all its bitterness, the government of their sacred city, the government of that Benares which had been so respected by Persian and Tartar conquerors, though of the Mussulman persuasion, that even in the plenitude of their pride, power, and bigotry, no magistrate of that sect entered the place, was now delivered over by English hands to a Mahometan; and an Ali Ibrahim Khân was introduced, under the Company's authority, with power of life and death, into the sanctuary of the Gentoo religion.

After this, the taking off a slight payment, cheerfully made by pilgrims to a chief of their own rites, was represented as a mighty benefit. It remains only to show, through the conduct in this business, the spirit of the Company's government, and the respect they pay towards other prejudices, not less regarded in the East than those of religion; I mean the reverence paid to the female sex in general, and particularly to women of high rank and condition. During the general confusion of the country of Gazypore, Panna, the mother of Cheit Sing, was lodged with her train in a castle called Bidgé Gur, in which were likewise deposited a large portion of the treasures of her son, or more probably her own. To whomsoever they belonged was indifferent; for though no charge of rebellion was made on this woman, (which was rather singular, as it would have cost nothing,) they were resolved to secure her with her fortune. The castle was besieged by Major Popham.

There was no great reason to apprehend that soldiers ill paid, that soldiers who thought they had been defrauded of their plunder on former services of the same kind, would not have been sufficiently attentive to the spoil they were expressly come for; but the gallantry and generosity of the profession was justly suspected, as being likely to set bounds to military rapaciousness. The Company's first civil magis-

trate discovered the greatest uneasiness lest the women should have anything preserved to them. Terms, tending to put some restraint on military violence, were granted. He writes a letter to Mr. Popham, referring to some letter written before to the same effect, which I do not remember to have seen; but it shows his anxiety on this subject. Hear himself:—"I think *every* demand she has made on you, except that of safety and respect to her person, is unreasonable. If the reports brought to me are true, your rejecting her offers, or *any negotiation*, would soon obtain you the fort upon your own terms. I apprehend she will attempt to *defraud the captors of a considerable part of their booty, by being suffered to retire without examination.* But this is your concern, not mine. I should *be very sorry* that your officers and soldiers lost *any* part of the reward to which they are so well entitled; but you must be the best judge of the *promised* indulgence to the Ranny: what you have engaged for I will certainly ratify; but as to suffering the Ranny to hold the purgunna of Hurlich, or any other zemindary, without being subject to the authority of the zemindar, *or any lands whatsoever*, or indeed making *any* condition with her for a *provision*, I will *never consent*."

Here your governor stimulates a rapacious and licentious soldiery to the personal search of women, lest these unhappy creatures should avail themselves of the protection of their sex to secure any supply for their necessities; and he positively orders that no stipulation should be made for any provision for them. The widow and mother of a prince, well informed of her miserable situation, and the cause of it, a woman of this rank became a suppliant to the domestic servant of Mr. Hastings (they are his own words that I read); "imploring his intercession, that she may be relieved *from the hardships and dangers of her present situation;* and offering to surrender the fort, and the *treasure and valuable effects* contained in it, provided she can be assured *of safety and protection to her person and honour*, and to that of her family and attendants." He is so good as to consent to this, "provided she surrenders everything of value, with the reserve *only* of such articles as *you* shall think *necessary* to her condition, or as you *yourself* shall be disposed to indulge her with.—But should she refuse to execute the promise she

has made, or delay it beyond the term of twenty-four hours, it is *my positive* injunction, that you immediately put a stop to any further intercourse or negotiation with her, and on no pretext renew it. If she disappoints or *trifles* with me, after I have subjected *my duan* to the disgrace of returning ineffectually, and of course myself to discredit, I shall consider it as a *wanton* affront and indignity *which I can never forgive;* nor will I grant her *any* conditions whatever, but leave her exposed *to those* dangers which she has chosen to risk, rather than trust to the clemency and generosity of our government. I think she cannot be ignorant of these consequences, and will not venture to incur them; and it is for this reason I place a dependence on her offers, and have consented to send *my duan* to her." The dreadful secret, hinted at by the merciful governor in the latter part of the letter, is well understood in India; where those who suffer corporeal indignities generally expiate the offences of others with their own blood. However, in spite of all these, the temper of the military did, some way or other, operate. They came to terms which have never been transmitted. It appears that a fifteenth *per cent.* of the plunder was reserved to the captives, of which the unhappy mother of the prince of Benares was to have a share. This ancient matron, born to better things [a laugh from certain young gentlemen]—I see no cause for this mirth. A good author of antiquity reckons among the calamities of his time, *Nobilissimarum fœminarum exilia et fugas.*—I say, Sir, this ancient lady was compelled to quit her house with three hundred helpless women, and a multitude of children in her train; but the lower sort in the camp it seems could not be restrained. They did not forget the good lessons of the governor-general. They were unwilling "to be defrauded of a considerable part of their booty by suffering them to pass without examination."—They examined them, Sir, with a vengeance, and the sacred protection of that awful character, Mr. Hastings's maître d'hotel, could not secure them from insult and plunder. Here is Popham's narrative of the affair:—"The Ranny came out of the fort, with her family and dependents, the 10th at night, owing to which such attention was not paid to her as I wished; and I am exceedingly sorry to inform you, that the *licentiousness of our followers was beyond the bounds of con-*

trol; for, notwithstanding all I could do, her people were plundered on the road of most of the things which they brought out of the fort, by which means one of the articles of surrender has been much infringed. The distress I have felt upon this occasion cannot be expressed, and can only be allayed by a firm performance of the other articles of the treaty, which I shall make it my business to enforce.

"The suspicions which the officers had of treachery, and the delay made to our getting possession, had enraged them, as well as the troops, so much, that the treaty was at first regarded as void, but this determination was soon succeeded by pity and compassion for the unfortunate besieged."—After this comes, in his due order, Mr. Hastings; who is full of sorrow and indignation, &c., &c., &c., according to the best and most authentic precedents established upon such occasions.

The women being thus disposed of, that is, completely despoiled, and pathetically lamented, Mr. Hastings at length recollected the great object of his enterprise, which during his zeal lest the officers and soldiers should lose any part of their reward, he seems to have forgot; that is to say, "to draw from the Rajah's guilt the means of relief to the Company's distresses." This was to be the strong-hold of his defence. This compassion to the Company, he knew by experience, would sanctify a great deal of rigour towards the natives. But the military had distresses of their own, which they considered first. Neither Mr. Hastings's authority, nor his supplications, could prevail on them to assign a shilling to the claim he made on the part of the Company. They divided the booty amongst themselves. Driven from his claim, he was reduced to petition for the spoil as a loan. But the soldiers were too wise to venture as a loan, what the borrower claimed as a right. In defiance of all authority they shared among themselves about two hundred thousand pounds sterling, besides what had been taken from the women.

In all this there is nothing wonderful. We may rest assured, that when the maxims of any government establish among its resources extraordinary means, and those exerted with a strong hand, that strong hand will provide those extraordinary means for *itself*. Whether the soldiers had reason or not (perhaps much might be said for them) certain

it is, the military discipline of India was ruined from that moment; and the same rage for plunder, the same contempt of subordination, which blasted all the hopes of extraordinary means from your strong hand at Benares, have very lately lost you an army in Mysore. This is visible enough from the accounts in the last Gazette.

There is no doubt but that the country and city of Benares, now brought into the same order, will very soon exhibit, if it does not already display, the same appearance with those countries and cities which are under better subjection. A great master, Mr. Hastings, has himself been at the pains of drawing a picture of one of these countries, I mean the province and city of Farruckabad. There is no reason to question his knowledge of the facts; and his authority (on this point at least) is above all exception, as well for the state of the country as for the cause. In his minute of consultation, Mr. Hastings describes forcibly the consequences which arise from the degradation into which we have sunk the native government. "The total want (says he) of all order, regularity, or authority, in his (the Nabob of Farruckabad's) government, and to which, among other obvious causes, it may no doubt be owing that the country of Farruckabad is become *almost an entire waste, without cultivation or inhabitants;* that the capital, which, but a very short time ago, was distinguished as one of the most populous and opulent commercial cities in Hindostan, at present exhibits nothing but *scenes of the most wretched poverty, desolation, and misery;* and that the *Nabob himself,* though in the possession of a tract of country which, with only common care, is notoriously capable of yielding an annual revenue of between thirty and forty lacks, (three or four hundred thousand pounds,) with *no military establishment* to maintain, scarcely commands *the means of a bare subsistence.*"

This is a true and unexaggerated picture, not only of Farruckabad, but of at least three-fourths of the country which we possess, or rather lay waste, in India. Now, Sir, the House will be desirous to know for what purpose this picture was drawn. It was for a purpose, I will not say laudable, but necessary, that of taking the unfortunate prince and his country out of the hands of a sequestrator sent thither by the Nabob of Oude, the mortal enemy of the

prince thus ruined, and to protect him by means of a British resident, who might carry his complaints to the superior resident at Oude, or transmit them to Calcutta. But mark how the reformer persisted in his reformation. The effect of the measure was better than was probably expected. The prince began to be at ease; the country began to recover; and the revenue began to be collected. These were alarming circumstances. Mr. Hastings not only recalled the resident, but he entered into a formal stipulation with the Nabob of Oude, never to send an English subject again to Farruckabad; and thus the country, described as you have heard by Mr. Hastings, is given up for ever to the very persons to whom he had attributed its ruin, that is, to the Sezawals or sequestrators of the Nabob of Oude.

Such was the issue of the first attempt to relieve the distresses of the dependent provinces. I shall close what I have to say on the condition of the northern dependencies, with the effect of the last of these attempts. You will recollect, Sir, the account I have not long ago stated to you as given by Mr. Hastings, of the ruined condition of the destroyer of others, the Nabob of Oude, and of the recall, in consequence, of Hannay, Middleton, and Johnson. When the first little sudden gust of passion against these gentlemen was spent, the sentiments of old friendship began to revive. Some healing conferences were held between them and the superior government. Mr. Hannay was permitted to return to Oude; but death prevented the further advantages intended for him, and the future benefits proposed for the country by the provident care of the council-general.

One of these gentlemen was accused of the grossest peculations. Two of them, by Mr. Hastings himself, of what he considered as very gross offences. The court of directors were informed, by the governor-general and council, that a severe inquiry would be instituted against the two survivors; and they requested that court to suspend its judgment, and to wait the event of their proceedings. A mock inquiry has been instituted, by which the parties could not be said to be either acquitted or condemned. By means of the bland and conciliatory dispositions of the charter governors, and proper private explanations, the public inquiry has in effect died away; the supposed peculators and destroyers of Oude re-

pose in all security in the bosoms of their accusers; whilst others succeed to them to be instructed by their example.

It is only to complete the view I proposed of the conduct of the Company, with regard to the dependent provinces, that I shall say *any* thing at all of the Carnatic, which is the scene, if possible, of greater disorder than the northern provinces. Perhaps it were better to say of this centre and metropolis of abuse, whence all the rest in India and in England diverge, from whence they are fed and methodized, what was said of Carthage—*de Carthagine satius est silere quam parum dicere.* This country, in all its denominations, is about 46,000 square miles. It may be affirmed universally, that not one person of substance or property, landed, commercial, or monied, excepting two or three bankers, who are necessary deposits and distributors of the general spoil, is left in all that region. In that country the moisture, the bounty of Heaven, is given but at a certain season. Before the æra of our influence, the industry of man carefully husbanded that gift of God. The Gentoos preserved, with a provident and religious care, the precious deposit of the periodical rain in reservoirs, many of them works of royal grandeur: and from these, as occasion demanded, they fructified the whole country. To maintain these reservoirs, and to keep up an annual advance to the cultivators, for seed and cattle, formed a principal object of the piety and policy of the priests and rulers of the Gentoo religion.

This object required a command of money; and there was no pollam or castle, which in the happy days of the Carnatic was without some hoard of treasure, by which the governors were enabled to combat with the irregularity of the seasons, and to resist or to buy off the invasion of an enemy. In all the cities were multitudes of merchants and bankers, for all occasions of monied assistance; and, on the other hand, the native princes were in condition to obtain credit from them. The manufacturer was paid by the return of commodities, or by imported money, and not, as at present, in the taxes that had been originally exacted from his industry. In aid of casual distress, the country was full of choultries, which were inns and hospitals, where the traveller and the poor were relieved. All ranks of people had their place in the public concern, and their share in the common stock and common

prosperity; but *the chartered rights of men*, and the right which it was thought proper to set up in the Nabob of Arcot, introduced a new system. It was their policy to consider hoards of money as crimes; to regard moderate rents as frauds on the sovereign; and to view, in the lesser princes, any claim of exemption from more than settled tribute, as an act of rebellion. Accordingly all the castles were, one after the other, plundered and destroyed. The native princes were expelled; the hospitals fell to ruin; the reservoirs of water went to decay; the merchants, bankers, and manufactures disappeared; and sterility, indigence, and depopulation, overspread the face of these once flourishing provinces.

The Company was very early sensible of these mischiefs, and of their true cause. They gave precise orders, "that the native princes, called polygars, should *not be extirpated*.—That the rebellion [so they choose to call it] of the polygars, may (they fear) *with too much justice*, be attributed to the maladministration of the Nabob's collectors." That "they observe with concern, that their troops have been put to *disagreeable* services." They might have used a stronger expression without impropriety. But they make amends in another place. Speaking of the polygars, the directors say that "it was repugnant to humanity to *force* them to such dreadful extremities *as they underwent*." That some examples of severity *might* be necessary, "when they fell into the Nabob's hands," *and not by the destruction of the country*. "That *they fear* his government is *none of the mildest;* and that there is *great oppression* in collecting his revenues." They state, that the wars in which he has involved the Carnatic, had been a cause of its distresses; "that these distresses have been certainly great; but those by the *Nabob's oppressions* we believe *to be greater than all*." Pray, Sir, attend to the reason for their opinion that the government of this their instrument is more calamitous to the country than the ravages of war.—Because, say they, his oppressions are "*without intermission*.—The others are temporary; by all which *oppressions* we believe the Nabob has great wealth in store." From this store neither he nor they could derive any advantage whatsoever, upon the invasion of Hyder Ali, in the hour of their greatest calamity and dismay.

It is now proper to compare these declarations with the

Company's conduct. The principal reason which they assigned against the *extirpation* of the polygars was, that the *weavers* were protected in their fortresses. They might have added, that the Company itself, which stung them to death, had been warmed in the bosom of these unfortunate princes: for, on the taking of Madras by the French, it was in their hospitable pollams that most of the inhabitants found refuge and protection. But, notwithstanding all these orders, reasons, and declarations, they at length gave an indirect sanction, and permitted the use of a very direct and irresistible force, to measures which they had, over and over again, declared to be false policy, cruel, inhuman, and oppressive. Having, however, forgot all attention to the princes and the people, they remembered that they had some sort of interest in the trade of the country; and it is matter of curiosity to observe the protection which they afforded to this their natural object.

Full of anxious cares on this head, they direct, "that in reducing the polygars they (their servants) were to be *cautious* not to deprive the *weavers and manufacturers* of the protection they often met with in the strong-holds of the polygar countries;"—and they write to their instrument, the Nabob of Arcot, concerning these poor people in a most pathetic strain. "We *entreat* your Excellency, (say they,) in particular, to make the manufacturers the object of your *tenderest care;* particularly when you *root out* the polygars, you do not deprive the *weavers of the protection they enjoyed under them.*" When they root out the protectors in favour of the oppressor, they show themselves religiously cautious of the rights of the protected. When they extirpate the shepherd and the shepherd's dog, they piously recommend the helpless flock to the mercy, and even to the *tenderest care*, of the wolf. This is the uniform strain of their policy, strictly forbidding, and at the same time strenuously encouraging and enforcing, every measure that can ruin and desolate the country committed to their charge. After giving the Company's idea of the government of this their instrument, it may appear singular, but it is perfectly consistent with their system, that, besides wasting for him, at two different times, the most exquisite spot upon the earth, Tanjore, and all the adjacent countries, they have even voluntarily put their own territory, that

is, a large and fine country adjacent to Madras, called their jaghire, wholly out of their protection; and have contrived to farm their subjects, and their duties towards these subjects, to that very Nabob, whom they themselves constantly represent as an habitual oppressor and a relentless tyrant. This they have done without any pretence of ignorance of the objects of oppression for which this prince has thought fit to become their renter; for he has again and again told them, that it is for the sole purpose of exercising authority he holds the jaghire lands; and he affirms (and I believe with truth) that he pays more for that territory than the revenues yield. This deficiency he must make up from his other territories; and thus, in order to furnish the means of oppressing one part of the Carnatic, he is led to oppress all the rest.

The House perceives that the livery of the Company's government is uniform. I have described the condition of the countries indirectly, but most substantially, under the Company's authority. And now I ask, whether, with this map of misgovernment before me, I can suppose myself bound by my vote to continue, upon any principles of pretended public faith, the management of these countries in those hands? If I kept such a faith (which in reality is no better than a *fides latronum*) with what is called the Company, I must break the faith, the covenant, the solemn, original, indispensable oath, in which I am bound, by the eternal frame and constitution of things, to the whole human race.

As I have dwelt so long on these who are indirectly under the Company's administration, I will endeavour to be a little shorter upon the countries immediately under this charter-government.—These are the Bengal provinces. The condition of these provinces is pretty fully detailed in the sixth and ninth Reports, and in their Appendixes. I will select only such principles and instances as are broad and general. To your own thoughts I shall leave it, to furnish the detail of oppressions involved in them. I shall state to you, as shortly as I am able, the conduct of the Company;—1st, towards the landed interests;—next, the commercial interests;—3dly, the native government;—and lastly, to their own government.

Bengal, and the provinces that are united to it, are larger

than the kingdom of France; and once contained, as France does contain, a great and independent landed interest, composed of princes, of great lords, of a numerous nobility and gentry, of freeholders, of lower tenants, of religious communities, and public foundations. So early as 1769, the Company's servants perceived the decay into which these provinces had fallen under English administration, and they made a strong representation upon this decay, and what they apprehended to be the causes of it. Soon after this representation, Mr. Hastings became president of Bengal. Instead of administering a remedy to this melancholy disorder, upon the heels of a dreadful famine, in the year 1772, the succour which the new president and the council lent to this afflicted nation was—shall I be believed in relating it?—the landed interest of a whole kingdom, of a kingdom to be compared to France, was set up to public auction! They set up (Mr. Hastings set up) the whole nobility, gentry, and freeholders, to the highest bidder. No preference was given to the ancient proprietors. They must bid against every usurer, every temporary adventurer, every jobber and schemer, every servant of every European, or they were obliged to content themselves, in lieu of their extensive domains, with their house, and such a pension as the state auctioneers thought fit to assign. In this general calamity, several of the first nobility thought (and in all appearance justly) that they had better submit to the necessity of this pension, than continue, under the name of zemindars, the objects and instruments of a system, by which they ruined their tenants, and were ruined themselves. Another reform has since come upon the back of the first; and a pension having been assigned to these unhappy persons, in lieu of their hereditary lands, a new scheme of economy has taken place, and deprived them of that pension.

The menial servants of Englishmen, persons (to use the emphatical phrase of a ruined and patient Eastern chief) "*whose fathers they would have disdained to have set with the dogs of their flock*," entered into their patrimonial lands. Mr. Hastings's bannian was, after this auction, found possessed of territories yielding a rent of one hundred and forty thousand pounds a year.

Such an universal proscription, upon any pretence, has few

examples. Such a proscription, without even a pretence of delinquency, has none. It stands by itself. It stands as a monument to astonish the imagination, to confound the reason of mankind. I confess to you, when I first came to know this business in its true nature and extent, my surprise did a little suspend my indignation. I was in a manner stupified by the desperate boldness of a few obscure young men, who having obtained, by ways which they could not comprehend, a power of which they saw neither the purposes nor the limits, tossed about, subverted, and tore to pieces, as if it were in the gambols of a boyish unluckiness and malice, the most established rights, and the most ancient and most revered institutions, of ages and nations. Sir, I will not now trouble you with any detail with regard to what they have since done with these same lands and land-holders; only to inform you, that nothing has been suffered to settle for two seasons together upon any basis; and that the levity and inconstancy of these mock legislators were not the least afflicting parts of the oppressions suffered under their usurpation; nor will anything give stability to the property of the natives, but an administration in England at once protecting and stable. The country sustains almost every year the miseries of a revolution. At present, all is uncertainty, misery, and confusion. There is to be found through these vast regions no longer one landed man who is a resource for voluntary aid, or an object for particular rapine. Some of them were, not long since, great princes; they possessed treasures, they levied armies. There was a zemindar in Bengal (I forget his name) that, on the threat of an invasion, supplied the Soubah of these provinces with the loan of a million sterling. The family at this day wants credit for a breakfast at the bazaar.

I shall now say a word or two on the Company's care of the commercial interest of those kingdoms. As it appears in the Reports, that persons in the highest stations in Bengal have adopted, as a fixed plan of policy, the destruction of all intermediate dealers between the Company and the manufacturer, native merchants have disappeared of course. The spoil of the revenues is the sole capital which purchases the produce and manufactures, and through three or four foreign companies transmits the official gains of individuals to Eu-

rope. No other commerce has an existence in Bengal. The transport of its plunder is the only traffic of the country. I wish to refer you to the Appendix to the ninth Report for a full account of the manner in which the Company have protected the commercial interests of their dominions in the East.

As to the native government and the administration of justice, it subsisted in a poor, tottering manner for some years. In the year 1781, a total revolution took place in that establishment. In one of the usual freaks of legislation of the council of Bengal, the whole criminal jurisdiction of these courts, called the Phoujdary Judicature, exercised till then by the principal Mussulmen, was in one day, without notice, without consultation with the magistrates or the people there, and without communication with the directors or ministers here, totally subverted. A new institution took place, by which this jurisdiction was divided between certain English servants of the Company and the Gentoo zemindars of the country, the latter of whom never petitioned for it, nor, for aught that appears, ever desired this boon. But its natural use was made of it; it was made a pretence for new extortions of money.

The natives had however one consolation in the ruin of their judicature; they soon saw that it fared no better with the English government itself. That too, after destroying every other, came to its period. This revolution may well be rated for a most daring act, even among the extraordinary things that have been doing in Bengal since our unhappy acquisition of the means of so much mischief.

An establishment of English government for civil justice, and for the collection of revenue, was planned and executed by the president and council of Bengal, subject to the pleasure of the directors, in the year 1772. According to this plan, the country was divided into six great districts, or provinces. In each of these was established a provincial council, which administered the revenue; and of that council one member by monthly rotation presided in the courts of civil resort; with an appeal to the council of the province, and thence to Calcutta. In this system (whether, in other respects, good or evil) there were some capital advantages. There was in the very number of persons in each provincial council, authority, communication, mutual check, and control. They

were obliged, on their minutes of consultation, to enter their reasons and dissents; so that a man of diligence, of research, and tolerable sagacity, sitting in London, might, from these materials, be enabled to form some judgment of the spirit of what was going on on the farthest banks of the Ganges and Burram-pooter.

The court of directors so far ratified this establishment, (which was consonant enough to their general plan of government,) that they gave precise orders, that no alteration should be made in it, without their consent. So far from being apprized of any design against this constitution, they had reason to conceive that on trial it had been more and more approved by their council-general, at least by the governor-general, who had planned it. At the time of the Revolution, the council-general was nominally in two persons, virtually in one. At that time measures of an arduous and critical nature ought to have been forborne, even if, to the fullest council, this specific measure had not been prohibited by the superior authority. It was in this very situation, that one man had the hardiness to conceive, and the temerity to execute, a total revolution in the form and the persons composing the government of a great kingdom. Without any previous step, at one stroke, the whole constitution of Bengal, civil and criminal, was swept away. The counsellors were recalled from their provinces; upwards of fifty of the principal officers of government were turned out of employ, and rendered dependent on Mr. Hastings for their immediate subsistence, and for all hope of future provision. The chief of each council, and one European collector of revenue, were left in each province.

But here, Sir, you may imagine a new government, of some permanent description, was established in the place of that which had been thus suddenly overturned. No such thing. Lest these chiefs, without councils, should be conceived to form the ground-plan of some future government, it was publicly declared, that their continuance was only temporary and permissive. The whole subordinate British administration of revenue was then vested in a committee in Calcutta, all creatures of the governor-general; and the provincial management, under the permissive chief, was delivered over to native officers.

But, that the revolution and the purposes of the revolution might be complete, to this committee were delegated, not only the functions of all the inferior, but, what will surprise the House, those of the supreme administration of revenue also. Hitherto the governor-general and council had, in their revenue department, administered the finances of those kingdoms. By the new scheme they are delegated to this committee, who are only to report their proceedings for approbation.

The key to the whole transaction is given in one of the instructions to the committee, "that it is not necessary that they should enter dissents." By this means the ancient plan of the Company's administration was destroyed; but the plan of concealment was perfected. To that moment the accounts of the revenues were tolerably clear; or at least means were furnished for inquiries, by which they might be rendered satisfactory. In the obscure and silent gulf of this committee everything is now buried. The thickest shades of night surround all their transactions. No effectual means of detecting fraud, mismanagement, or misrepresentation, exist. The directors, who have dared to talk with such confidence on their revenues, know nothing about them. What used to fill volumes is now comprised under a few dry heads on a sheet of paper. The natives, a people habitually made to concealment, are the chief managers of the revenue throughout the provinces. I mean by natives, such wretches as your rulers select out of them as most fitted for their purposes. As a proper key-stone to bind the arch, a native, one Gunga Govind Sing, a man turned out of his employment by Sir John Clavering, for malversation in office, is made the corresponding secretary, and, indeed, the great moving principle of their new board.

As the whole revenue and civil administration was thus subverted, and a clandestine government substituted in the place of it, the judicial institution underwent a like revolution. In 1772 there had been six courts formed out of the six provincial councils. Eighteen new ones are appointed in their place, with each a judge, taken from the *junior* servants of the Company. To maintain these eighteen courts, a tax is levied on the sums in litigation, of 2½ *per cent.* on the great, and of 5 *per cent.* on the less. This money is all drawn

from the provinces to Calcutta. The chief justice (the same who stays in defiance of a vote of this House, and of his Majesty's recall) is appointed at once the treasurer and disposer of these taxes, levied, without any sort of authority, from the Company, from the crown, or from parliament.

In effect, Sir, every legal, regular authority in matters of revenue, of political administration, of criminal law, of civil law, in many of the most essential parts of military discipline, is laid level with the ground; and an oppressive, irregular, capricious, unsteady, rapacious, and peculating despotism, with a direct disavowal of obedience to any authority at home, and without any fixed maxim, principle, or rule of proceeding, to guide them in India, is at present the state of your charter-government over great kingdoms.

As the Company has made this use of their trust, I should ill discharge mine, if I refuse to give my most cheerful vote for the redress of these abuses, by putting the affairs of so large and valuable a part of the interests of this nation, and of mankind, into some steady hands, possessing the confidence, and assured of the support, of this House, until they can be restored to regularity, order, and consistency.

I have touched the heads of some of the grievances of the people, and the abuses of government. But I hope and trust you will give me credit, when I faithfully assure you, that I have not mentioned one-fourth part of what has come to my knowledge in your committee; and further, I have full reason to believe, that not one-fourth part of the abuses are come to my knowledge, by that or by any other means. Pray consider what I have said only as an index to direct you in your inquiries.

If this then, Sir, has been the use made of the trust of political powers internal and external, given by you in the charter, the next thing to be seen is the conduct of the Company with regard to the commercial trust. And here I will make a fair offer:—If it can be proved that they have acted wisely, prudently, and frugally, as merchants, I shall pass by the whole mass of their enormities as statesmen. That they have not done this their present condition is proof sufficient. Their distresses are said to be owing to their wars. This is not wholly true. But if it were, is not that readiness to engage in wars, which distinguishes them, and

for which the committee of secrecy has so branded their politics, founded on the falsest principles of mercantile speculation.

The principle of buying cheap and selling dear is the first, the great foundation of mercantile dealing. Have they ever attended to this principle? Nay, for years have they not actually authorized in their servants a total indifference as to the prices they were to pay?

A great deal of strictness in driving bargains for whatever we contract is another of the principles of mercantile policy. Try the Company by that test! Look at the contracts that are made for them. Is the Company so much as a good commissary to their own armies? I engage to select for you, out of the innumerable mass of their dealings, all conducted very nearly alike, one contract only, the excessive profits on which during a short term would pay the whole of their year's dividend. I shall undertake to show, that upon two others, the inordinate profits given, with the losses incurred in order to secure those profits, would pay a year's dividend more.

It is a third property of trading men, to see that their clerks do not divert the dealings of the master to their own benefit. It was the other day only, when the governor and council taxed the Company's investment with the sum of fifty thousand pounds, as an inducement to persuade only seven members of their board of trade to give their *honour* that they would abstain from such profits upon that investment, as they must have violated their *oaths* if they had made at all.

It is a fourth quality of a merchant to be exact in his accounts. What will be thought when you have fully before you the mode of accounting made use of in the treasury of Bengal?—I hope you will have it soon. With regard to one of their agencies, when it came to the material part, the prime cost of the goods on which a commission of fifteen *per cent.* was allowed, to the astonishment of the factory to whom the commodities were sent, the accountant-general reports that he did not think himself authorized to call for *vouchers* relative to this and other particulars,—because the agent was upon his *honour* with regard to them. A new principle of account upon honour seems to be regularly established in

their dealings and their treasury, which in reality amounts to an entire annihilation of the principle of all accounts.

It is a fifth property of a merchant, who does not meditate a fraudulent bankruptcy, to calculate his probable profits upon the money he takes up to vest in business. Did the Company, when they bought goods on bonds bearing 8 *per cent.* interest, at 10 and even 20 *per cent.* discount, even ask themselves a question concerning the possibility of advantage from dealing on these terms?

The last quality of a merchant I shall advert to, is the taking care to be properly prepared, in cash or goods, in the ordinary course of sale, for the bills which are drawn on them. Now I ask, whether they have ever calculated the clear produce of any given sales, to make them tally with the four millions of bills, which are come and coming upon them, so as at the proper periods to enable the one to liquidate the other? No, they have not. They are now obliged to borrow money of their own servants to purchase their investment. The servants stipulate 5 *per cent.* on the capital they advance, if their bills should not be paid at the time when they become due; and the value of the rupee on which they charge this interest is taken at two shillings and a penny. Has the Company ever troubled themselves to inquire whether their sales can bear the payment of that interest, and at that rate of exchange? Have they once considered the dilemma in which they are placed—the ruin of their credit in the East Indies, if they refuse the bills—the ruin of their credit and existence in England, if they accept them? Indeed no trace of equitable government is found in their politics; not one trace of commercial principle in their mercantile dealing; and hence is the deepest and maturest wisdom of parliament demanded, and the best resources of this kingdom must be strained, to restore them; that is, to restore the countries destroyed by the misconduct of the Company, and to restore the Company itself, ruined by the consequences of their plans for destroying what they were bound to preserve.

I required, if you remember, at my outset, a proof that these abuses were habitual. But surely this is not necessary for me to consider as a separate head; because I trust I have made it evident beyond a doubt, in considering the

abuses themselves, that they are regular, permanent, and systematical.

I am now come to my last condition, without which, for one, I will never readily lend my hand to the destruction of any established government; which is: That in its present state, the government of the East-India Company is absolutely incorrigible.

Of this great truth I think there can be little doubt, after all that has appeared in this House. It is so very clear, that I must consider the leaving any power in their hands, and the determined resolution to continue and countenance every mode and every degree of peculation, oppression, and tyranny, to be one and the same thing. I look upon that body incorrigible, from the fullest consideration both of their uniform conduct, and their present real and virtual constitution.

If they had not constantly been apprized of all the enormities committed in India under their authority; if this state of things had been as much a discovery to them as it was to many of us; we might flatter ourselves that the detection of the abuses would lead to their reformation. I will go further: If the court of directors had not uniformly condemned every act which this House or any of its committees had condemned; if the language in which they expressed their disapprobation against enormities and their authors, had not been much more vehement and indignant than any ever used in this House, I should entertain some hopes. If they had not, on the other hand, as uniformly commended all their servants who had done their duty and obeyed their orders, as they had heavily censured those who rebelled; I might say, These people have been in an error, and when they are sensible of it they will mend. But when I reflect on the uniformity of their support to the objects of their uniform censure, and the state of insignificance and disgrace to which all of those have been reduced whom they approved, and that even utter ruin and premature death have been among the fruits of their favour; I must be convinced, that in this case, as in all others, hypocrisy is the only vice that never can be cured.

Attend, I pray you, to the situation and prosperity of Benfield, Hastings, and others of that sort. The last of these has been treated by the Company with an asperity of repre-

hension that has no parallel. They lament "that the power of disposing of their property for perpetuity should fall into such hands." Yet for fourteen years, with little interruption, he has governed all their affairs, of every description, with an absolute sway. He has had himself the means of heaping up immense wealth; and, during that whole period, the fortunes of hundreds have depended on his smiles and frowns. He himself tells you he is encumbered with two hundred and fifty young gentlemen, some of them of the best families in England, all of whom aim at returning with vast fortunes to Europe in the prime of life. He has then two hundred and fifty of your children as his hostages for your good behaviour; and loaded for years, as he has been, with the execrations of the natives, with the censures of the court of directors, and struck and blasted with resolutions of this House, he still maintains the most despotic power ever known in India. He domineers with an overbearing sway in the assemblies of his pretended masters; and it is thought in a degree rash to venture to name his offences in this House, even as grounds of a legislative remedy.

On the other hand, consider the fate of those who have met with the applauses of the directors. Colonel Monson, one of the best of men, had his days shortened by the applauses, destitute of the support, of the Company. General Clavering, whose panegyric was made in every despatch from England, whose hearse was bedewed with the tears, and hung round with the eulogies, of the court of directors, burst an honest and indignant heart at the treachery of those who ruined him by their praises. Uncommon patience and temper supported Mr. Francis a while longer under the baneful influence of the commendation of the court of directors. His health however gave way at length; and in utter despair, he returned to Europe. At his return the doors of the India House were shut to this man, who had been the object of their constant admiration. He has indeed escaped with life, but he has forfeited all expectation of credit, consequence, party, and following. He may well say, *Me nemo ministro fur erit, atque ideo nulli comes exeo.* This man, whose deep reach of thought, whose large legislative conceptions, and whose grand plans of policy, make the most shining part of our Reports, from whence we have all learned

our lessons, if we have learned any good ones: this man, from whose materials those gentlemen who have least acknowledged it have yet spoken as from a brief; this man, driven from his employment, discountenanced by the directors, has had no other reward, and no other distinction, but that inward "sunshine of the soul," which a good conscience can always bestow upon itself. He has not yet had so much as a good word, but from a person too insignificant to make any other return, for the means with which he has been furnished for performing his share of a duty which is equally urgent on us all.

Add to this, that from the highest in place to the lowest, every British subject, who, in obedience to the Company's orders, has been active in the discovery of peculations, has been ruined. They have been driven from India. When they made their appeal at home they were not heard; when they attempted to return they were stopped. No artifice of fraud, no violence of power, has been omitted to destroy them in character as well as in fortune.

Worse, far worse, has been the fate of the poor creatures, the natives of India, whom the hypocrisy of the Company has betrayed into complaint of oppression, and discovery of peculation. The first women in Bengal, the Ranny of Rajeshahi, the Ranny of Burdwan, the Ranny of Amboa, by their weak and thoughtless trust in the Company's honour and protection, are utterly ruined: the first of these women, a person of princely rank, and once of correspondent fortune, who paid above two hundred thousand a year quit-rent to the state, is, according to very credible information, so completely beggared as to stand in need of the relief of alms. Mahomed Reza Khân, the second Mussulman in Bengal, for having been distinguished by the ill-omened honour of the countenance and protection of the court of directors, was, without the pretence of any inquiry whatsoever into his conduct, stripped of all his employments, and reduced to the lowest condition. His ancient rival for power, the Rajah Nundcomar, was, by an insult on everything which India holds respectable and sacred, hanged in the face of all his nation by the judges you sent to protect that people; hanged for a pretended crime, upon an *ex post facto* British act of parliament, in the midst of his evidence against Mr.

Hastings. The accuser they saw hanged. The culprit, without acquittal or inquiry, triumphs on the ground of that murder; a murder not of Nundcomar only, but of all living testimony, and even of evidence yet unborn. From that time not a complaint has been heard from the natives against their governors. All the grievances of India have found a complete remedy.

Men will not look to acts of parliament, to regulations, to declarations, to votes, and resolutions. No, they are not such fools. They will ask, what is the road to power, credit, wealth, and honours? They will ask, what conduct ends in neglect, disgrace, poverty, exile, prison, and gibbet? These will teach them the course which they are to follow. It is your distribution of these that will give the character and tone to your government. All the rest is miserable grimace.

When I accuse the court of directors of this habitual treachery, in the use of reward and punishment, I do not mean to include all the individuals in that court. There have been, Sir, very frequently, men of the greatest integrity and virtue amongst them; and the contrariety in the declarations and conduct of that court has arisen, I take it, from this:—That the honest directors have, by the force of matter of fact on the records, carried the reprobation of the evil measures of the servants in India. This could not be prevented, whilst these records stared them in the face; nor were the delinquents, either here or there, very solicitous about their reputation, as long as they were able to secure their power. The agreement of their partisans to censure them, blunted for a while the edge of a severe proceeding. It obtained for them a character of impartiality, which enabled them to recommend, with some sort of grace, what will always carry a plausible appearance, those treacherous expedients, called moderate measures. Whilst these were under discussion, new matter of complaint came over, which seemed to antiquate the first. The same circle was here trod round once more; and thus through years they proceeded in a compromise of censure for punishment; until, by shame and despair, one after another, almost every man, who preferred his duty to the Company to the interests of their servants, has been driven from that court.

This, Sir, has been their conduct; and it has been the re-

sult of the alteration which was insensibly made in their constitution. The change was made insensibly; but it is now strong and adult, and as public and declared as it is fixed beyond all power of reformation. So that there is none who hears me, that is not as certain as I am, that the Company, in the sense in which it was formerly understood, has no existence. The question is not, what injury you may do to the proprietors of India stock; for there are no such men to be injured. If the active, ruling part of the Company, who form the general court, who fill the offices, and direct the measures, (the rest tell for nothing,) were persons who held their stock as a means of their subsistence, who in the part they took were only concerned in the government of India for the rise or fall of their dividend, it would be indeed a defective plan of policy. The interest of the people who are governed by them would not be their primary object; perhaps a very small part of their consideration at all. But then they might well be depended on, and perhaps more than persons in other respects preferable, for preventing the peculation of their servants to their own prejudice. Such a body would not easily have left their trade as a spoil to the avarice of those who received their wages. But now things are totally reversed. The stock is of no value, whether it be the qualification of a director or proprietor; and it is impossible that it should. A director's qualification may be worth about two thousand five hundred pounds—and the interest, at eight *per cent.*, is about one hundred and sixty pounds a year. Of what value is that, whether it rise to ten, or fall to six, or to nothing, to him whose son, before he is in Bengal two months, and before he descends the steps of the council-chamber, sells the grant of a single contract for forty thousand pounds? Accordingly the stock is bought up in qualifications. The vote is not to protect the stock, but the stock is bought to acquire the vote; and the end of the vote is to cover and support, against justice, some man of power who has made an obnoxious fortune in India; or to maintain in power those who are actually employing it in the acquisition of such a fortune; and to avail themselves in return of his patronage, that he may shower the spoils of the East, "barbaric pearl and gold," on them, their families, and dependents. So that all the relations of the Company are not only changed,

but inverted. The servants in India are not appointed by the directors, but the directors are chosen by them. The trade is carried on with their capitals. To them the revenues of the country are mortgaged. The seat of the supreme power is in Calcutta. The house in Leadenhall Street is nothing more than a 'change for their agents, factors, and deputies to meet in, to take care of their affairs, and support their interests; and this so avowedly, that we see the known agents of the delinquent servants marshalling and disciplining their forces, and the prime spokesmen in all their assemblies.

Everything has followed in this order, and according to the natural train of events. I will close what I have to say on the incorrigible condition of the Company, by stating to you a few facts that will leave no doubt of the obstinacy of that corporation, and of their strength too, in resisting the reformation of their servants. By these facts you will be enabled to discover the sole grounds upon which they are tenacious of their charter. It is now more than two years that, upon account of the gross abuses and ruinous situation of the Company's affairs, (which occasioned the cry of the whole world long before it was taken up here,) we instituted two committees to inquire into the mismanagements by which the Company's affairs had been brought to the brink of ruin. These inquiries had been pursued with unremitting diligence; and a great body of facts was collected and printed for general information. In the result of those inquiries, although the committees consisted of very different descriptions, they were unanimous. They joined in censuring the conduct of the Indian administration, and enforcing the responsibility upon two men, whom this House, in consequence of these reports, declared it to be the duty of the directors to remove from their stations, and recall to Great Britain, "*because they had acted in a manner repugnant to the honour and policy of this nation, and thereby brought great calamities on India, and enormous expenses on the East-India Company.*"

Here was no attempt on the charter. Here was no question of their privileges. To vindicate their own honour, to support their own interests, to enforce obedience to their own orders; these were the sole object of the monitory reso-

lution of this House. But as soon as the general court could assemble, they assembled to demonstrate who they really were. Regardless of the proceedings of this House, they ordered the directors not to carry into effect any resolution they might come to for the removal of Mr. Hastings and Mr. Hornby. The directors, still retaining some shadow of respect to this House, instituted an inquiry themselves, which continued from June to October; and, after an attentive perusal and full consideration of papers, resolved to take steps for removing the persons who had been the objects of our resolution; but not without a violent struggle against evidence. Seven directors went so far as to enter a protest against the vote of their court. Upon this the general court takes the alarm; it re-assembles; it orders the directors to rescind their resolution, that is, not to recall Mr. Hastings and Mr. Hornby, and to despise the resolution of the House of Commons. Without so much as the pretence of looking into a single paper, without the formality of instituting any committee of inquiry, they superseded all the labours of their own directors, and of this House.

It will naturally occur to ask, how it was possible that they should not attempt some sort of examination into facts, as a colour for their resistance to a public authority, proceeding so very deliberately; and exerted, apparently at least, in favour of their own? The answer, and the only answer which can be given, is, that they were afraid that their true relation should be mistaken. They were afraid that their patrons and masters in India should attribute their support of them to an opinion of their cause, and not to an attachment to their power. They were afraid it should be suspected, that they did not mean blindly to support them in the use they made of that power. They determined to show that they at least were set against reformation; that they were firmly resolved to bring the territories, the trade, and the stock of the Company, to ruin, rather than be wanting in fidelity to their nominal servants and real masters, in the ways they took to their private fortunes.

Even since the beginning of this session, the same act of audacity was repeated, with the same circumstances of contempt of all the decorum of inquiry on their part, and of all the proceedings of this House. They again made it a re-

quest to their favourite, and your culprit, to keep his post; and thanked and applauded him, without calling for a paper which could afford light into the merit or demerit of the transaction, and without giving themselves a moment's time to consider, or even to understand, the articles of the Maratta peace. The fact is, that for a long time there was a struggle, a faint one indeed, between the Company and their servants. But it is a struggle no longer. For some time the superiority has been decided. The interests abroad are become the settled preponderating weight, both in the court of proprietors and the court of directors. Even the attempt you have made, to inquire into their practices and to reform abuses, has raised and piqued them to a far more regular and steady support. The Company has made a common cause, and identified themselves, with the destroyers of India. They have taken on themselves all that mass of enormity; they are supporting what you have reprobated; those you condemn they applaud; those you order home to answer for their conduct, they request to stay, and thereby encourage to proceed in their practices. Thus the servants of the East-India Company triumph, and the representatives of the people of Great Britain are defeated.

I therefore conclude, what you all conclude, that this body, being totally perverted from the purposes of its institution, is utterly incorrigible; and because they are incorrigible, both in conduct and constitution, power ought to be taken out of their hands; just on the same principles on which have been made all the just changes and revolutions of government that have taken place since the beginning of the world.

I will now say a few words to the general principle of the plan which is set up against that of my right honourable friend. It is to re-commit the government of India to the court of directors. Those, who would commit the reformation of India to the destroyers of it, are the enemies to that reformation. They would make a distinction between directors and proprietors, which, in the present state of things, does not, cannot exist. But a right honourable gentleman says, he would keep the present government of India in the court of directors; and would, to curb them, provide salutary regulations;—wonderful! That is, he would appoint the old

offenders to correct the old offences; and he would render the vicious and the foolish wise and virtuous, by salutary regulations. He would appoint the wolf as guardian of the sheep; but he has invented a curious muzzle, by which this protecting wolf shall not be able to open his jaws above an inch or two at the utmost. Thus his work is finished. But I tell the right honourable gentleman, that controlled depravity is not innocence; and that it is not the labour of delinquency in chains that will correct abuses. Will these gentlemen of the direction animadvert on the partners of their own guilt? Never did a serious plan of amending any old tyrannical establishment propose the authors and abettors of the abuses as the reformers of them. If the undone people of India see their old oppressors in confirmed power, even by the reformation, they will expect nothing but what they will certainly feel, a continuance, or rather an aggravation, of all their former sufferings. They look to the seat of power, and to the persons who fill it; and they despise those gentlemen's regulations as much as the gentlemen do who talk of them.

But there is a cure for everything. Take away, say they, the court of proprietors, and the court of directors will do their duty. Yes; as they have done it hitherto. That the evils in India have solely arisen from the court of proprietors, is grossly false. In many of them, the directors were heartily concurring; in most of them, they were encouraging, and sometimes commanding; in all, they were conniving.

But who are to choose this well-regulated and reforming court of directors?—Why, the very proprietors who are excluded from all management, for the abuse of their power. They will choose, undoubtedly, out of themselves, men like themselves; and those who are most forward in resisting your authority, those who are most engaged in faction or interests with the delinquents abroad, will be the objects of their selection. But gentlemen say, that when this choice is made, the proprietors are not to interfere in the measures of the directors, whilst those directors are busy in the control of their common patrons and masters in India. No, indeed, I believe they will not desire to interfere. They will choose those whom they know may be trusted, safely trusted, to act in strict conformity to their common principles, manners,

measures, interests, and connexions. They will want neither monitor nor control. It is not easy to choose men to act in conformity to a public interest against their private: but a sure dependence may be had on those who are chosen to forward their private interest, at the expense of the public. But if the directors should slip, and deviate into rectitude, the punishment is in the hands of the general court, and it will surely be remembered to them at their next election.

If the government of India wants no reformation; but gentlemen are amusing themselves with a theory, conceiving a more democratic or aristocratic mode of government for these dependencies, or if they are in a dispute only about patronage; the dispute is with me of so little concern, that I should not take the pains to utter an affirmative or negative to any proposition in it. If it be only for a theoretical amusement that they are to propose a bill; the thing is at best frivolous and unnecessary. But if the Company's government is not only full of abuse, but is one of the most corrupt and destructive tyrannies that probably ever existed in the world, (as I am sure it is,) what a cruel mockery would it be in me, and in those who think like me, to propose this kind of remedy for this kind of evil!

I now come to the third objection, That this bill will increase the influence of the crown. An honourable gentleman has demanded of me, whether I was in earnest when I proposed to this House a plan for the reduction of that influence. Indeed, Sir, I was much, very much, in earnest. My heart was deeply concerned in it; and I hope the public has not lost the effect of it. How far my judgment was right, for what concerned personal favour and consequence to myself, I shall not presume to determine; nor is its effect upon *me* of any moment. But as to this bill, whether it increases the influence of the crown, or not, is a question I should be ashamed to ask. If I am not able to correct a system of oppression and tyranny, that goes to the utter ruin of thirty millions of my fellow-creatures and fellow-subjects, but by some increase to the influence of the crown, I am ready here to declare that I, who have been active to reduce it, shall be at least as active and strenuous to restore it again. I am no lover of names; I contend for the substance of good and protecting government, let it come from what quarter it will.

But I am not obliged to have recourse to this expedient. Much, very much the contrary. I am sure that the influence of the crown will by no means aid a reformation of this kind; which can neither be originated nor supported, but by the uncorrupt public virtue of the representatives of the people of England. Let it once get into the ordinary course of administration, and to me all hopes of reformation are gone. I am far from knowing or believing, that this bill will increase the influence of the crown. We all know, that the crown has ever had some influence in the court of directors; and that it has been extremely increased by the Acts of 1773 and 1780. The gentlemen who, as a part of their reformation, propose "a more active control on the part of the crown," which is to put the directors under a secretary of state, especially named for that purpose, must know that their project will increase it further. But that old influence has had, and the new will have, incurable inconveniences, which cannot happen under the parliamentary establishment proposed in this bill. An honourable gentleman,[1] not now in his place, but who is well acquainted with the India Company, and by no means a friend to this bill, has told you that a ministerial influence has always been predominant in that body; and that to make the directors pliant to their purposes, ministers generally caused persons meanly qualified to be chosen directors. According to his idea, to secure subserviency, they submitted the Company's affairs to the direction of incapacity. This was to ruin the Company, in order to govern it. This was certainly influence in the very worst form in which it could appear. At best it was clandestine and irresponsible. Whether this was done so much upon system as that gentleman supposes, I greatly doubt. But such in effect the operation of government on that court unquestionably was; and such, under a similar constitution, it will be for ever. Ministers must be wholly removed from the management of the affairs of India, or they will have an influence in its patronage. The thing is inevitable. Their scheme of a new secretary of state, "with a more vigorous control," is not much better than a repetition of the measure which we know by experience will not do. Since the year 1773 and the year 1780, the Company

[1] Governor Johnstone.

has been under the control of the secretary of state's office, and we had then three secretaries of state. If more than this is done, then they annihilate the direction which they pretend to support; and they augment the influence of the crown, of whose growth they affect so great a horror. But in truth this scheme of reconciling a direction really and truly deliberative, with an office really and substantially controlling, is a sort of machinery that can be kept in order but a very short time. Either the directors will dwindle into clerks, or the secretary of state, as hitherto has been the course, will leave everything to them, often through design, often through neglect. If both should affect activity, collision, procrastination, delay, and, in the end, utter confusion, must ensue.

But, Sir, there is one kind of influence far greater than that of the nomination to office. This gentlemen in opposition have totally overlooked, although it now exists in its full vigour; and it will do so, upon their scheme, in at least as much force as it does now. That influence this bill cuts up by the roots: I mean the *influence of protection*. I shall explain myself:—The office given to a young man going to India is of trifling consequence. But he that goes out an insignificant boy, in a few years returns a great Nabob. Mr. Hastings says he has two hundred and fifty of that kind of raw materials, who expect to be speedily manufactured into the merchantable quality I mention. One of these gentlemen, suppose, returns hither, laden with odium and with riches. When he comes to England, he comes as to a prison, or as to a sanctuary; and either is ready for him, according to his demeanour. What is the influence in the grant of any place in India, to that which is acquired by the protection or compromise with such guilt, and with the command of such riches, under the dominion of the hopes and fears which power is able to hold out to every man in that condition? That man's whole fortune, half a million perhaps, becomes an instrument of influence, without a shilling of charge to the civil list; and the influx of fortunes which stand in need of this protection is continual. It works both ways; it influences the delinquent, and it may corrupt the minister. Compare the influence acquired by appointing, for instance, even a governor-general, and that obtained by protecting

dia. I shall push this no further. But I wish gentlemen to roll it a little in their own minds.

The bill before you cuts off this source of influence. Its design and main scope is to regulate the administration of India upon the principles of a court of judicature; and to exclude, as far as human prudence can exclude, all possibility of a corrupt partiality, in appointing to office, or supporting in office, or covering from inquiry and punishment, any person who has abused or shall abuse his authority. At the board, as appointed and regulated by this bill, reward and punishment cannot be shifted and reversed by a whisper. That commission becomes fatal to cabal, to intrigue, and to secret representation, those instruments of the ruin of India. He that cuts off the means of premature fortune, and the power of protecting it when acquired, strikes a deadly blow at the great fund, the bank, the capital stock of Indian influence, which cannot be vested anywhere, or in any hands, without most dangerous consequences to the public.

The third and contradictory objection is, That this bill does not increase the influence of the crown. On the contrary, That the just power of the crown will be lessened, and transferred to the use of a party, by giving the patronage of India to a commission nominated by parliament, and independent of the crown. The contradiction is glaring, and it has been too well exposed to make it necessary for me to insist upon it. But passing the contradiction, and taking it without any relation, of all objections that is the most extraordinary. Do not gentlemen know, that the crown has not at present the grant of a single office under the Company, civil or military, at home or abroad? So far as the crown is concerned, it is certainly rather a gainer; for the vacant offices in the new commission are to be filled up by the king.

It is argued as a part of the bill, derogatory to the prerogatives of the crown, that the commissioners named in the bill are to continue for a short term of years, too short in my opinion; and because, during that time, they are not at the mercy of every predominant faction of the court. Does not this objection lie against the present directors; none of whom are named by the crown, and a proportion of whom hold for this very term of four years? Did it not lie against

the governor-general and council named in the act of 1773—who were invested by name, as the present commissioners are to be appointed in the body of the act of parliament, who were to hold their places for a term of years, and were not removable at the discretion of the crown? Did it not lie against the re-appointment, in the year 1780, upon the very same terms? Yet at none of these times, whatever other objections the scheme might be liable to, was it supposed to be a derogation to the just prerogative of the crown, that a commission created by act of parliament should have its members named by the authority which called it into existence? This is not the disposal by parliament of any office derived from the authority of the crown, or now disposable by that authority. It is so far from being anything new, violent, or alarming, that I do not recollect, in any parliamentary commission, down to the commissioners of the land-tax, that it has ever been otherwise.

The objection of the tenure for four years is an objection to all places that are not held during pleasure; but in that objection I pronounce the gentlemen, from my knowledge of their complexion and of their principles, to be perfectly in earnest. The party (say these gentlemen) of the minister who proposes this scheme will be rendered powerful by it; for he will name his party friends to the commission. This objection against party is a party objection; and in this too these gentlemen are perfectly serious. They see that if, by any intrigue, they should succeed to office, they will lose the *clandestine* patronage, the true instrument of clandestine influence, enjoyed in the name of subservient directors, and of wealthy, trembling, Indian delinquents. But as often as they are beaten off this ground, they return to it again. The minister will name his friends, and persons of his own party. —Whom should he name? Should he name his adversaries? Should he name those whom he cannot trust? Should he name those to execute his plans, who are the declared enemies to the principles of his reform? His character is here at stake. If he proposes for his own ends (but he never will propose) such names as, from their want of rank, fortune, character, ability, or knowledge, are likely to betray or to fall short of their trust, he is in an independent House of Commons which has, by its own virtue, destroyed the instru-

ments of parliamentary subservience. This House of Commons would not endure the sound of such names. He would perish by the means which he is supposed to pursue for the security of his power. The first pledge he must give of his sincerity in this great reform will be in the confidence which ought to be reposed in those names.

For my part, Sir, in this business I put all indirect considerations wholly out of mind. My sole question, on each clause of the bill, amounts to this:—Is the measure proposed required by the necessities of India? I cannot consent totally to lose sight of the real wants of the people who are the objects of it, and to hunt after every matter of party squabble that may be started on the several provisions. On the question of the duration of the commission I am clear and decided. Can I, can any one who has taken the smallest trouble to be informed concerning the affairs of India, amuse himself with so strange an imagination, as that the habitual despotism and oppression, that the monopolies, the peculations, the universal destruction of all the legal authority of this kingdom, which have been for twenty years maturing to their present enormity, combined with the distance of the scene, the boldness and artifice of delinquents, their combination, their excessive wealth, and the faction they have made in England, can be fully corrected in a shorter term than four years? None has hazarded such an assertion—None, who has a regard for his reputation, will hazard it.

Sir, the gentlemen, whoever they are, who shall be appointed to this commission, have an undertaking of magnitude on their hands, and their stability must not only be, but it must be thought, real;—and who is it will believe, that anything short of an establishment made, supported, and fixed in its duration, with all the authority of parliament, can be thought secure of a reasonable stability? The plan of my honourable friend is the reverse of that of reforming by the authors of the abuse. The best we could expect from them is, that they should not continue their ancient, pernicious activity. To those we could think of nothing but applying *control;* as we are sure that even a regard to their reputation (if any such thing exists in them) would oblige them to cover, to conceal, to suppress, and consequently to prevent, all cure of the grievances of India. For what

can be discovered, which is not to their disgrace? Every attempt to correct an abuse would be a satire on their former administration. Every man they should pretend to call to an account would be found their instrument, or their accomplice. They can never see a beneficial regulation, but with a view to defeat it. The shorter the tenure of such persons, the better would be the chance of some amendment.

But the system of the bill is different. It calls in persons in nowise concerned with any act censured by parliament; persons generated with, and for, the reform, of which they are themselves the most essential part. To these the chief regulations in the bill are helps, not fetters; they are authorities to support, not regulations to restrain them. From these we look for much more than innocence. From these we expect zeal, firmness, and unremitted activity. Their duty, their character, binds them to proceedings of vigour; and they ought to have a tenure in their office which precludes all fear, whilst they are acting up to the purposes of their trust; a tenure without which none will undertake plans that require a series and system of acts. When they know that they cannot be whispered out of their duty, that their public conduct cannot be censured without a public discussion, that the schemes which they have begun will not be committed to those who will have an interest and credit in defeating and disgracing them, then we may entertain hopes. The tenure is for four years, or during their good behaviour. That good behaviour is as long as they are true to the principles of the bill; and the judgment is in either House of Parliament. This is the tenure of your judges; and the valuable principle of the bill is to make a judicial administration for India. It is to give confidence in the execution of a duty, which requires as much perseverance and fortitude, as can fall to the lot of any that is born of woman.

As to the gain by party, from the right honourable gentleman's bill, let it be shown, that this supposed party advantage is pernicious to its object, and the objection is of weight: but until this is done, and this has not been attempted, I shall consider the sole objection, from its tendency to promote the interest of a party, as altogether contemptible. The kingdom is divided into parties, and it ever has been so

divided, and it ever will be so divided; and if no system for relieving the subjects of this kingdom from oppression, and snatching its affairs from ruin, can be adopted, until it is demonstrated that no party can derive an advantage from it, no good can ever be done in this country. If party is to derive an advantage from the reform of India, (which is more than I know, or believe,) it ought to be that party which alone, in this kingdom, has its reputation, nay its very being, pledged to the protection and preservation of that part of the empire. Great fear is expressed, that the commissioners named in this bill will show some regard to a minister out of place. To men made like the objectors, this must appear criminal. Let it however be remembered by others, that if the commissioners should be his friends, they cannot be his slaves. But dependents are not in a condition to adhere to friends, nor to principles, nor to any uniform line of conduct. They may begin censors, and be obliged to end accomplices. They may be even put under the direction of those whom they were appointed to punish.

The fourth and last objection is, that the bill will hurt public credit. I do not know whether this requires an answer. But if it does, look to your foundations. The sinking fund is the pillar of credit in this country; and let it not be forgotten, that the distresses, owing to the mismanagement of the East-India Company, have already taken a million from that fund by the non-payment of duties. The bills drawn upon the Company, which are about four millions, cannot be accepted without the consent of the treasury. The treasury, acting under a parliamentary trust and authority, pledges the public for these millions. If they pledge the public, the public must have a security in its hands for the management of this interest, or the national credit is gone. For otherwise it is not only the East-India Company, which is a great interest, that is undone, but, clinging to the security of all your funds, it drags down the rest, and the whole fabric perishes in one ruin. If this bill does not provide a direction of integrity and of ability competent to that trust, the objection is fatal. If it does, public credit must depend on the support of the bill.

It has been said, if you violate this charter, what security has the charter of the bank, in which public credit is so

deeply concerned, and even the charter of London, in which the rights of so many subjects are involved? I answer, In the like case they have no security at all—No—no security at all. If the bank should, by every species of mismanagement, fall into a state similar to that of the East-India Company; if it should be oppressed with demands it could not answer, engagements which it could not perform, and with bills for which it could not procure payment; no charter should protect the mismanagement from correction, and such public grievances from redress. If the city of London had the means and will of destroying an empire, and of cruelly oppressing and tyrannizing over millions of men as good as themselves, the charter of the city of London should prove no sanction to such tyranny and such oppression. Charters are kept, when their purposes are maintained: they are violated, when the privilege is supported against its end and its object.

Now, Sir, I have finished all I proposed to say, as my reasons for giving my vote to this bill. If I am wrong, it is not for want of pains to know what is right. This pledge, at least, of my rectitude I have given to my country.

And now, having done my duty to the bill, let me say a word to the author. I should leave him to his own noble sentiments, if the unworthy and illiberal language with which he has been treated, beyond all example of parliamentary liberty, did not make a few words necessary; not so much in justice to him, as to my own feelings. I must say then, that it will be a distinction honourable to the age, that the rescue of the greatest number of the human race that ever were so grievously oppressed, from the greatest tyranny that was ever exercised, has fallen to the lot of abilities and dispositions equal to the task; that it has fallen to one who has the enlargement to comprehend, the spirit to undertake, and the eloquence to support, so great a measure of hazardous benevolence. His spirit is not owing to his ignorance of the state of men and things; he well knows what snares are spread about his path, from personal animosity, from court intrigues, and possibly from popular delusion. But he has put to hazard his ease, his security, his interest, his power, even his darling popularity, for the benefit of a people whom he has never seen. This is the road that all heroes have trod

before him. He is traduced and abused for his supposed motives. He will remember, that obloquy is a necessary ingredient in the composition of all true glory. He will remember, that it was not only in the Roman customs, but it is in the nature and constitution of things, that calumny and abuse are essential parts of triumph. These thoughts will support a mind, which only exists for honour, under the burthen of temporary reproach. He is doing indeed a great good; such as rarely falls to the lot, and almost as rarely coincides with the desires, of any man. Let him use his time. Let him give the whole length of the reins to his benevolence. He is now on a great eminence, where the eyes of mankind are turned to him. He may live long, he may do much. But here is the summit. He never can exceed what he does this day.

He has faults; but they are faults that, though they may in a small degree tarnish the lustre, and sometimes impede the march, of his abilities, have nothing in them to extinguish the fire of great virtues. In those faults, there is no mixture of deceit, of hypocrisy, of pride, of ferocity, of complexional despotism, or want of feeling for the distresses of mankind. His are faults which might exist in a descendant of Henry the Fourth of France, as they did exist in that father of his country. Henry the Fourth wished that he might live to see a fowl in the pot of every peasant in his kingdom. That sentiment of homely benevolence was worth all the splendid sayings that are recorded of kings. But he wished perhaps for more than could be obtained, and the goodness of the man exceeded the power of the king. But this gentleman, a subject, may this day say this at least, with truth, that he secures the rice in his pot to every man in India. A poet of antiquity thought it one of the first distinctions to a prince whom he meant to celebrate, that through a long succession of generations, he had been the progenitor of an able and virtuous citizen, who by force of the arts of peace, had corrected governments of oppression, and suppressed wars of rapine.

> Indole proh quanta juvenis, quantumque daturus
> Ausoniæ populis, ventura in sæcula civem.
> Ille super Gangem, super exauditus et Indos,

> Implebit terras voce; et furialia bella
> Fulmine compescet linguæ.——

This was what was said of the predecessor of the only person to whose eloquence it does not wrong that of the mover of this bill to be compared. But the Ganges and the Indus are the patrimony of the fame of my honourable friend, and not of Cicero. I confess, I anticipate with joy the reward of those, whose whole consequence, power, and authority, exist only for the benefit of mankind; and I carry my mind to all the people, and all the names and descriptions, that, relieved by this bill, will bless the labours of this parliament, and the confidence which the best House of Commons has given to him who the best deserves it. The little cavils of party will not be heard, where freedom and happiness will be felt. There is not a tongue, a nation, or religion in India, which will not bless the presiding care and manly beneficence of this House, and of him who proposes to you this great work. Your names will never be separated before the throne of the Divine Goodness, in whatever language, or with whatever rites, pardon is asked for sin, and reward for those who imitate the Godhead in his universal bounty to his creatures. These honours you deserve, and they will surely be paid, when all the jargon of influence, and party, and patronage, are swept into oblivion.

I have spoken what I think, and what I feel, of the mover of this bill. An honourable friend of mine, speaking of his merits, was charged with having made a studied panegyric. I don't know what his was. Mine, I am sure, is a studied panegyric; the fruit of much meditation; the result of the observation of near twenty years. For my own part, I am happy that I have lived to see this day; I feel myself overpaid for the labours of eighteen years, when, at this late period, I am able to take my share, by one humble vote, in destroying a tyranny that exists to the disgrace of this nation, and the destruction of so large a part of the human species.

A

REPRESENTATION TO HIS MAJESTY,

MOVED IN

THE HOUSE OF COMMONS,

BY

THE RIGHT HON. EDMUND BURKE, AND SECONDED BY WILLIAM WINDHAM, ESQ.,

ON MONDAY, JUNE 14, 1784, AND NEGATIVED.

WITH A PREFACE AND NOTES.

PREFACE.

THE Representation now given to the public relates to some of the most essential privileges of the House of Commons. It would appear of little importance, if it were to be judged by its reception in the place where it was proposed. There it was rejected without debate. The subject matter may, perhaps, hereafter appear to merit a more serious consideration. Thinking men will scarcely regard the *penal* dissolution of a parliament as a very trifling concern. Such a dissolution must operate forcibly as an example; and it much imports the people of this kingdom to consider what lesson that example is to teach.

The late House of Commons was not accused of an interested compliance to the will of a court. The charge against them was of a different nature. They were charged with being actuated by an extravagant spirit of independency. This species of offence is so closely connected with merit, this vice bears so near a resemblance to virtue, that the

flight of a House of Commons above the exact temperate medium of independence ought to be correctly ascertained, lest we give encouragement to dispositions of a less generous nature, and less safe for the people: we ought to call for very solid and convincing proofs of the existence, and of the magnitude too, of the evils, which are charged to an independent spirit, before we give sanction to any measure, that by checking a spirit so easily damped, and so hard to be excited, may affect the liberty of a part of our constitution, which, if not free, is worse than useless.

The editor does not deny, that by possibility such an abuse may exist: but, *primâ fronte*, there is no reason to presume it. The House of Commons is not, by its complexion, peculiarly subject to the distempers of an independent habit. Very little compulsion is necessary on the part of the people, to render it abundantly complaisant to ministers and favourites of all descriptions. It required a great length of time, very considerable industry and perseverance, no vulgar policy, the union of many men and many tempers, and the concurrence of events which do not happen every day, to build up an independent House of Commons. Its demolition was accomplished in a moment; and it was the work of ordinary hands. But to construct, is a matter of skill; to demolish, force and fury are sufficient.

The late House of Commons has been punished for its independence. That example is made. Have we an example on record, of a House of Commons punished for its servility? The rewards of a senate so disposed are manifest to the world. Several gentlemen are very desirous of altering the constitution of the House of Commons: but they must alter the frame and constitution of human nature itself, before they can so fashion it by any mode of election, that its conduct will not be influenced by reward and punishment, by fame, and by disgrace. If these examples take root in the minds of men, what members hereafter will be bold enough not to be corrupt? Especially as the king's high-way of obsequiousness is so very broad and easy. To make a passive member of parliament, no dignity of mind, no principles of honour, no resolution, no ability, no industry, no learning, no experience, are in the least degree necessary. To defend a post of importance against a powerful enemy, requires an

Elliot; a drunken invalid is qualified to hoist a white flag, or to deliver up the keys of the fortress on his knees.

The gentlemen chosen into this parliament, for the purpose of this surrender, were bred to better things; and are no doubt qualified for other service. But for this strenuous exertion of inactivity, for the vigorous task of submission and passive obedience, all their learning and ability are rather a matter of personal ornament to themselves, than of the least use in the performance of their duty.

The present surrender, therefore, of rights and privileges, without examination, and the resolution to support any minister given by the secret advisers of the crown, determines not only on all the power and authority of the House, but it settles the character and description of the men who are to compose it, and perpetuates that character as long as it may be thought expedient to keep up a phantom of popular representation.

It is for the chance of some amendment before this new settlement takes a permanent form, and while the matter is yet soft and ductile, that the Editor has republished this piece, and added some notes and explanations to it. His intentions, he hopes, will excuse him to the original mover, and to the world. He acts from a strong sense of the incurable ill effects of holding out the conduct of the late House of Commons, as an example to be shunned by future representatives of the people.

MOTION

RELATIVE TO

THE SPEECH FROM THE THRONE.

Lunæ, 14o *Die Junij*, 1784.

A MOTION was made, That a representation be presented his Majesty, most humbly to offer to his royal consideration that the address of this House, upon his Majesty's speech from the throne, was dictated solely by our conviction of his

Majesty's own most gracious intentions towards his people, which, as we feel with gratitude, so we are ever ready to acknowledge with cheerfulness and satisfaction.

Impressed with these sentiments, we were willing to separate from our general expressions of duty, respect, and veneration to his Majesty's royal person and his princely virtues, all discussion whatever, with relation to several of the matters suggested, and several of the expressions employed in that speech.

That it was not fit or becoming, that any decided opinion should be formed by his faithful Commons, on that speech, without a degree of deliberation adequate to the importance of the object. Having afforded ourselves due time for that deliberation, we do now most humbly beg leave to represent to his Majesty that, in the speech from the throne, his ministers have thought proper to use a language of a very alarming import, unauthorized by the practice of good times, and irreconcilable to the principles of this government.

Humbly to express to his Majesty, that it is the privilege and duty of this House to guard the constitution from all infringement on the part of ministers; and, whenever the occasion requires it, to warn them against any abuse of the authorities committed to them; but it is very lately,[1] that in a manner not more unseemly than irregular and preposterous, ministers have thought proper by admonition from the throne, implying distrust and reproach, to convey the expectations of the people to us, their sole representatives;[2] and have presumed to caution us, the natural guardians of the constitution, against any infringement of it on our parts.

This dangerous innovation we, his faithful Commons, think it our duty to mark; and as these admonitions from the throne, by their frequent repetition, seem intended to lead gradually to the establishment of an usage, we hold ourselves bound thus solemnly to protest against them.

This House will be, as it ever ought to be, anxiously atten-

[1] See King's Speech, Dec. 5, 1782, and May 19, 1784.

[2] "I will never submit to the doctrines I have heard this day from the woolsack, that the other House [House of Commons] are the only representatives and guardians of the people's rights; I boldly maintain the contrary—I say this House [House of Lords] *is equally the representatives of the people.*" *Lord Shelburne's Speech, April* 8, 1778. Vide *Parliamentary Register* vol. x. page 392

tive to the inclinations and interests of its constituents: nor do we desire to straiten any of the avenues to the throne, or to either House of Parliament. But the ancient order, in which the rights of the people have been exercised, is not a restriction of these rights. It is a method providentially framed in favour of those privileges, which it preserves and enforces, by keeping in that course which has been found the most effectual for answering their ends. His Majesty may receive the opinions and wishes of individuals under their signatures, and of bodies corporate under their seals, as expressing their own particular sense: and he may grant such redress as the legal powers of the crown enables the crown to afford. This, and the other House of Parliament, may also receive the wishes of such corporations and individuals by petition. The collective sense of his people his Majesty is to receive from his Commons in parliament assembled. It would destroy the whole spirit of the constitution, if his Commons were to receive that sense from the ministers of the crown, or to admit them to be a proper or a regular channel for conveying it.

That the ministers in the said speech declare, "His Majesty has a just and confident reliance, that we (his faithful Commons) are animated with the same sentiments of loyalty, and the same attachment to our excellent constitution, which he had the happiness to see so fully manifested in every part of his kingdom."

To represent, that his faithful Commons have never failed in loyalty to his Majesty. It is new to them to be reminded of it. It is unnecessary and invidious to press it upon them by any example. This recommendation of loyalty, after his Majesty has sat for so many years, with the full support of all descriptions of his subjects, on the throne of this kingdom, at a time of profound peace, and without any pretence of the existence or apprehension of war or conspiracy, becomes in itself a source of no small jealousy to his faithful Commons: as many circumstances lead us to apprehend that therein the ministers have reference to some other measures and principles of loyalty, and to some other ideas of the constitution, than the laws require, or the practice of parliament will admit.

No regular communication of the proofs of loyalty and

attachment to the constitution, alluded to in the speech from the throne, have been laid before this House, in order to enable us to judge of the nature, tendency, or occasion of them; or in what particular acts they were displayed; but if we are to suppose the manifestations of loyalty (which are held out to us as an example for imitation) consist in certain addresses delivered to his Majesty, promising support to his Majesty in the exercise of his prerogative, and thanking his Majesty for removing certain of his ministers, on account of the votes they have given upon bills depending in parliament, —if this be the example of loyalty alluded to in the speech from the throne, then we must beg leave to express our serious concern for the impression which has been made on any of our fellow-subjects by misrepresentations, which have seduced them into a seeming approbation of proceedings subversive of their own freedom. We conceive, that the opinions delivered in these papers were not well considered; nor were the parties duly informed of the nature of the matters on which they were called to determine, nor of those proceedings of parliament which they were led to censure.

We shall act more advisedly.—The loyalty we shall manifest will not be the same with theirs; but, we trust, it will be equally sincere, and more enlightened. It is no slight authority which shall persuade us (by receiving as proofs of loyalty the mistaken principles lightly taken up in these addresses) obliquely to criminate, with the heavy and ungrounded charge of disloyalty and disaffection, an uncorrupt, independent, and reforming parliament.[1] Above all, we shall

[1] In that parliament the House of Commons by two several resolutions put an end to the American war. Immediately on the change of ministry, which ensued, in order to secure their own independence, and to prevent the accumulation of new burthens on the people by the growth of a civil list debt, they passed the establishment bill. By that bill thirty-six offices tenable by members of parliament were suppressed; and an order of payment was framed, by which the growth of any fresh debt was rendered impracticable. The debt on the civil list from the beginning of the present reign had amounted to one million three hundred thousand pounds and upwards. Another act was passed for regulating the office of the paymaster-general and the offices subordinate to it. A million of public money had sometimes been in the hands of the paymasters; this act prevented the possibility of any money whatsoever being accumulated in that office in future. The offices of the exchequer, whose emoluments in time of war were excessive, and grew in exact proportion to the public burthens,

take care that none of the rights and privileges, always claimed, and since the accession of his Majesty's illustrious family constantly exercised, by this House, (and which we hold and exercise in trust for the Commons of Great Britain, and for their benefit,) shall be constructively surrendered, or even weakened and impaired under ambiguous phrases, and implications of censure on the late parliamentary proceedings. If these claims are not well-founded, they ought to be honestly abandoned; if they are just, they ought to be steadily and resolutely maintained.

Of his Majesty's own gracious disposition towards the true principles of our free constitution, his faithful Commons never did, or could, entertain a doubt: but we humbly beg leave to express to his Majesty our uneasiness concerning other new and unusual expressions of his ministers, declaratory of a resolution "to support in their *just balance*, the rights and privileges of every branch of the legislature."

It were desirable that all hazardous theories concerning a balance of rights and privileges (a mode of expression wholly foreign to parliamentary usage) might have been forborne. His Majesty's faithful Commons are well instructed in their own rights and privileges, which they are determined to maintain on the footing upon which they were handed down from their ancestors: they are not unacquainted with the

were regulated; some of them suppressed, and the rest reduced to fixed salaries. To secure the freedom of election against the crown, a bill was passed to disqualify all officers concerned in the collection of the revenue in any of its branches from voting in elections; a most important act, not only with regard to its primary object, the freedom of election, but as materially forwarding the due collection of revenue. For the same end, (the preserving the freedom of election,) the House rescinded the famous judgment relative to the Middlesex election, and expunged it from the journals. On the principle of reformation of their own House, connected with a principle of public economy, an act passed for rendering contractors with government incapable of a seat in parliament. The India Bill (unfortunately lost in the House of Lords) pursued the same idea to its completion; and disabled all servants of the East-India Company from a seat in that House for a certain time, and until their conduct was examined into and cleared. The remedy of infinite corruptions and of infinite disorders and oppressions, as well as the security of the most important objects of public economy, perished with that bill and that parliament. That parliament also instituted a committee to inquire into the collection of the revenue in all its branches, which prosecuted its duty with great vigour; and suggested several material improvements.

rights and privileges of the House of Peers; and they know and respect the lawful prerogatives of the crown: but they do not think it safe to admit anything concerning the existence of a balance of those rights, privileges, and prerogatives; nor are they able to discern to what object ministers would apply their fiction of balance; nor what they would consider as a just one. These unauthorized doctrines have a tendency to stir improper discussions; and to lead to mischievous innovations in the constitution.[1]

That his faithful Commons most humbly recommend, instead of the inconsiderate speculations of unexperienced men, that, on all occasions, resort should be had to the happy practice

[1] If these speculations are let loose, the House of Lords may quarrel with their share of the legislature, as being limited with regard to the origination of grants to the crown and the origination of money bills. The advisers of the crown may think proper to bring its negative into ordinary use; and even to dispute, whether a mere negative, compared with the deliberative power, exercised in the other Houses, be such a share in the legislature, as to produce a due balance in favour of that branch; and thus justify the previous interference of the crown, in the manner lately used. The following will serve to show how much foundation there is for great caution, concerning these novel speculations. Lord Shelburne, in his celebrated Speech, April 8th, 1778, expresses himself as follows. Vide *Parliamentary Register*, vol. x.

"The noble and learned lord on the woolsack, in the debate which opened the business of this day, asserted that your lordships were incompetent to make any alteration in a money bill or a bill of supply. I should be glad to see the matter fully and fairly discussed, and the subject brought forward and argued upon precedent, as well as all its collateral relations. I should be pleased to see the question fairly committed, were it for no other reason, but to hear the sleek, smooth contractors from the other House, come to that bar and declare, that they, and they only, *could frame a money bill;* and they, and they *only*, could dispose of the *property of the peers of Great Britain.* Perhaps some arguments more plausible than those I heard this day from the woolsack, to show that the Commons have an uncontrollable, unqualified right, to bind your lordships' property, may be urged by them. At present I beg leave to differ from the noble and learned lord; for until the claim after a solemn discussion of the House, is openly and directly relinquished, I shall continue to be of opinion, that your lordships have a right to *alter, amend*, or reject a money bill."

The Duke of Richmond also, in his letter to the volunteers of Ireland, speaks of several of the powers exercised by the House of Commons in the light of usurpations: and his Grace is of opinion, that, when the people are restored to what he conceives to be their rights, in electing the House of Commons, the other branches of the legislature ought to be restored to theirs. Vide *Remembrancer*, vol. xvi.

of parliament, and to those solid maxims of government which have prevailed since the accession of his Majesty's illustrious family, as furnishing the only safe principles on which the crown and parliament can proceed.

We think it the more necessary to be cautious on this head, as, in the last parliament, the present ministers had thought proper to countenance, if not to suggest, an attack upon the most clear and undoubted rights and privileges of this House.[1]

Fearing from these extraordinary admonitions, and from the new doctrines, which seem to have dictated several unusual expressions, that his Majesty has been abused by false representations of the late proceedings in parliament, we think it our duty respectfully to inform his Majesty, that no attempt whatever has been made against his lawful prerogatives, or against the rights and privileges of the peers, by the late House of Commons, in any of their addresses, votes, or resolutions: neither do we know of any proceeding by bill, in which it was proposed to abridge the extent of his royal prerogative; but, if such provision had existed in any bill, we protest, and we declare, against all speeches, acts, or addresses, from any persons whatsoever, which have a tendency to consider such bills, or the persons concerned in them, as just objects of any kind of censure and punishment from the throne. Necessary reformations may hereafter require, as they have frequently done in former times, limitations and

[1] By an act of parliament, the directors of the East-India Company are restrained from acceptance of bills drawn from India, beyond a certain amount, without the consent of the commissioners of the treasury. The late House of Commons, finding bills, to an immense amount, drawn upon that body by their servants abroad, and knowing their circumstances to be exceedingly doubtful, came to a resolution providently cautioning the lords of the treasury against the acceptance of these bills, until the House should otherwise direct. The court lords then took occasion to declare against the resolution as illegal, by the Commons undertaking to direct in the execution of a trust created by act of parliament. The House, justly alarmed at this resolution, which went to the destruction of the whole of its superintending capacity, and particularly in matters relative to its own province of money, directed a committee to search the journals, and they found a regular series of precedents, commencing from the remotest of those records, and carried on to that day, by which it appeared that the House interfered, by an authoritative advice and admonition, upon every act of executive government without exception; and in many much stronger cases than that which the lords thought proper to quarrel with.

abridgments, and in some cases an entire extinction of some branch of prerogative. If bills should be improper in the form in which they appear in the House where they originate, they are liable, by the wisdom of this constitution, to be corrected, and even to be totally set aside, elsewhere. This is the known, the legal, and the safe remedy: but whatever, by the manifestation of the royal displeasure, tends to intimidate individual members from proposing, or this House from receiving, debating, and passing bills, tends to prevent even the beginning of every reformation in the state, and utterly destroys the deliberative capacity of parliament.—We therefore claim, demand, and insist upon it, as our undoubted right, that no persons shall be deemed proper objects of animadversion by the crown, in any mode whatever, for the votes which they give, or the propositions which they make, in parliament.

We humbly conceive, that besides its share of the legislative power, and its right of impeachment, that, by the law and usage of parliament, this House has other powers and capacities, which it is bound to maintain. This House is assured, that our humble advice on the exercise of prerogative will be heard with the same attention with which it has ever been regarded; and that it will be followed by the same effects which it has ever produced, during the happy and glorious reigns of his Majesty's royal progenitors; not doubting but that, in all those points, we shall be considered as a council of wisdom and weight to advise, and not merely as an accuser of competence to criminate.[1] This House claims both capacities; and we trust that we shall be left to our free discretion which of them we shall employ as best calculated for his Majesty's and the national service.—Whenever we shall see it expedient to offer our advice concerning his Majesty's servants, who are those of the public, we confidently hope, that the personal favour of any minister, or any set of ministers, will not be more dear to his Majesty, than the credit and character of the House of Commons. It is an experiment full of peril to put the representative

[1] "I observe at the same time, that there is *no charge or complaint* suggested against my present ministers."—*The king's answer, 25th February, 1784, to the address of the House of Commons.* Vide *Resolutions of the House of Commons, printed for Debrett*, p. 31.

wisdom and justice of his Majesty's people in the wrong; it is a crooked and desperate design, leading to mischief, the extent of which no human wisdom can foresee, to attempt to form a prerogative party in the nation, to be resorted to as occasion shall require, in derogation from the authority of the Commons of Great Britain in parliament assembled: it is a contrivance full of danger, for ministers to set up the representative and constituent bodies of the Commons of this kingdom as two separate and distinct powers, formed to counterpoise each other, leaving the preference in the hands of secret advisers of the crown. In such a situation of things, these advisers, taking advantage of the differences which may accidentally arise, or may purposely be fomented between them, will have it in their choice to resort to the one or the other, as may best suit the purposes of their sinister ambition. By exciting an emulation and contest between the representative and the constituent bodies, as parties contending for credit and influence at the throne, sacrifices will be made by both; and the whole can end in nothing else than the destruction of the dearest rights and liberties of the nation. If there must be another mode of conveying the collective sense of the people to the throne, than that by the House of Commons, it ought to be fixed and defined, and its authority ought to be settled: it ought not to exist in so precarious and dependent a state as that ministers should have it in their power, at their own mere pleasure, to acknowledge it with respect, or to reject it with scorn.

It is the undoubted prerogative of the crown to dissolve parliament; but we beg leave to lay before his Majesty, that it is, of all the trusts vested in his Majesty, the most critical and delicate, and that in which this House has the most reason to require, not only the good faith, but the favour of the crown. His Commons are not always upon a par with his ministers in an application to popular judgment: it is not in the power of the members of this House to go to their election at the moment the most favourable for them. It is in the power of the crown to choose a time for their dissolution whilst great and arduous matters of state and legislation are depending, which may be easily misunderstood, and which cannot be fully explained before that misunder-

standing may prove fatal to the honour that belongs, and to the consideration that is due, to members of parliament.

With his Majesty is the gift of all the rewards, the honours, distinctions, favour, and graces of the state; with his Majesty is the mitigation of all the rigours of the law; and we rejoice to see the crown possessed of trusts calculated to obtain good-will, and charged with duties which are popular and pleasing. Our trusts are of a different kind. Our duties are harsh and invidious in their nature; and justice and safety is all we can expect in the exercise of them. We are to offer salutary, which is not always pleasing, counsel; we are to inquire and to accuse: and the objects of our inquiry and charge will be for the most part persons of wealth, power, and extensive connexions: we are to make rigid laws for the preservation of revenue, which of necessity more or less confine some action, or restrain some function, which before was free: what is the most critical and invidious of all, the whole body of the public impositions originate from us, and the hand of the House of Commons is seen and felt in every burthen that presses on the people. Whilst, ultimately, we are serving them, and in the first instance whilst we are serving his Majesty, it will be hard, indeed, if we should see a House of Commons the victim of its zeal and fidelity, sacrificed by his ministers to those very popular discontents, which shall be excited by our dutiful endeavours for the security and greatness of his throne. No other consequence can result from such an example, but that, in future, the House of Commons, consulting its safety at the expense of its duties, and suffering the whole energy of the state to be relaxed, will shrink from every service, which, however necessary, is of a great and arduous nature; or that, willing to provide for the public necessities, and, at the same time, to secure the means of performing that task, they will exchange independence for protection, and will court a subservient existence through the favour of those ministers of state, or those secret advisers, who ought themselves to stand in awe of the Commons of this realm.

A House of Commons respected by his ministers is essential to his Majesty's service: it is fit that they should yield to parliament, and not that parliament should be new modelled until it is fitted to their purposes. If our authority is

only to be held up when we coincide in opinion with his Majesty's advisers, but is to be set at nought the moment it differs from them, the House of Commons will sink into a mere appendage of administration; and will lose that independent character which, inseparably connecting the honour and reputation with the acts of this House, enables us to afford a real, effective, and substantial support to his government. It is the deference shown to our opinion, when we dissent from the servants of the crown, which alone can give authority to the proceedings of this House when it concurs with their measures.

That authority once lost, the credit of his Majesty's crown will be impaired in the eyes of all nations. Foreign powers, who may yet wish to revive a friendly intercourse with this nation, will look in vain for that hold which gave a connexion with Great Britain the preference to an alliance with any other state. A House of Commons, of which ministers were known to stand in awe, where everything was necessarily discussed on principles fit to be openly and publicly avowed, and which could not be retracted or varied without danger, furnished a ground of confidence in the public faith, which the engagement of no state dependent on the fluctuation of personal favour, and private advice, can ever pretend to. If faith with the House of Commons, the grand security for the national faith itself, can be broken with impunity, a wound is given to the political importance of Great Britain, which will not easily be healed.

That there was a great variance between the late House of Commons and certain persons, whom his Majesty has been advised to make and continue as ministers, in defiance of the advice of that House, is notorious to the world. That House did not confide in those ministers; and they withheld their confidence from them for reasons for which posterity will honour and respect the names of those who composed that House of Commons, distinguished for its independence. They could not confide in persons who have shown a disposition to dark and dangerous intrigues. By these intrigues they have weakened, if not destroyed, the clear assurance which his Majesty's people, and which all nations, ought to have, of what are, and what are not, the real acts of his government.

If it should be seen that his ministers may continue in their offices, without any signification to them of his Majesty's displeasure at any of their measures, whilst persons considerable for their rank, and known to have had access to his Majesty's sacred person, can with impunity abuse that advantage, and employ his Majesty's name to disavow and counteract the proceedings of his official servants, nothing but distrust, discord, debility, contempt of all authority, and general confusion, can prevail in his government.

This we lay before his Majesty, with humility and concern, as the inevitable effect of a spirit of intrigue in his executive government; an evil which we have but too much reason to be persuaded exists and increases. During the course of the last session it broke out in a manner the most alarming. This evil was infinitely aggravated by the unauthorized, but not disavowed, use which has been made of his Majesty's name, for the purpose of the most unconstitutional, corrupt, and dishonourable influence on the minds of the members of parliament, that ever was practised in this kingdom. No attention, even to the exterior decorum, in the practice of corruption, and intimidation employed on Peers, was observed: several Peers were obliged under menaces to retract their declarations, and to recall their proxies.

The Commons have the deepest interest in the purity and integrity of the peerage. The Peers dispose of all the property in the kingdom, in the last resort; and they dispose of it on their honour and not on their oaths, as all the members of every other tribunal in the kingdom must do; though in them the proceeding is not conclusive. We have, therefore, a right to demand that no application shall be made to Peers of such a nature as may give room to call in question, much less to attaint, our sole security for all that we possess. This corrupt proceeding appeared to the House of Commons, who are the natural guardians of the purity of parliament, and of the purity of every branch of judicature, a most reprehensible and dangerous practice, tending to shake the very foundation of the authority of the House of Peers;—and they branded it as such by their resolution.

The House had not sufficient evidence to enable them legally to punish this practice, but they had enough to caution them against all confidence in the authors and abet-

tors of it. They performed their duty in humbly advising his Majesty against the employment of such ministers; but his Majesty was advised to keep those ministers, and to dissolve that parliament. The House, aware of the importance and urgency of its duty with regard to the British interests in India, which were and are in the utmost disorder, and in the utmost peril, most humbly requested his Majesty not to dissolve the parliament during the course of their very critical proceedings on that subject. His Majesty's gracious condescension to that request was conveyed in the royal faith, pledged to a House of Parliament, and solemnly delivered from the throne. It was but a very few days after a committee had been, with the consent and concurrence of the chancellor of the exchequer, appointed for an inquiry into certain accounts delivered to the House by the court of directors, and then actually engaged in that inquiry, that the ministers, regardless of the assurance given from the crown to a House of Commons, did dissolve that parliament. We most humbly submit to his Majesty's consideration the consequences of this their breach of public faith.

Whilst the members of the House of Commons, under that security, were engaged in his Majesty's and the national business, endeavours were industriously used to calumniate those whom it was found impracticable to corrupt. The reputation of the members, and the reputation of the House itself, was undermined in every part of the kingdom.

In the speech from the throne relative to India, we are cautioned by the ministers, "not to lose sight of the effect any measure may have on the constitution of our country." We are apprehensive that a calumnious report, spread abroad of an attack upon his Majesty's prerogative by the late House of Commons, may have made an impression on his royal mind, and have given occasion to this unusual admonition to the present. This attack is charged to have been made in the late parliament, by a bill which passed the House of Commons in the late session of that parliament, for the regulation of the affairs, for the preservation of the commerce, and for the amendment of the government of this nation, in the East Indies.

That his Majesty and his people may have an opportunity of entering into the ground of this injurious charge, we beg

leave humbly to acquaint his Majesty, that, far from having made any infringement whatsoever on any part of his royal prerogative, that bill did, for a limited time, give to his Majesty certain powers never before possessed by the crown; and for this his present ministers (who, rather than fall short in the number of their calumnies, employ some that are contradictory) have slandered this House as aiming at the extension of an unconstitutional influence in his Majesty's crown. This pretended attempt to increase the influence of the crown they were weak enough to endeavour to persuade his Majesty's people was amongst the causes which excited his Majesty's resentment against his late ministers.

Further, to remove the impressions of this calumny concerning an attempt in the House of Commons against his prerogative, it is proper to inform his Majesty, that the territorial possessions in the East Indies never have been declared by any public judgment, act, or instrument, or any resolution of parliament whatsoever, to be the subject matter of his Majesty's prerogative; nor have they ever been understood as belonging to his ordinary administration, or to be annexed or united to his crown; but that they are acquisitions of a new and peculiar description,[1] unknown to the ancient executive constitution of this country.

[1] The territorial possessions in the East Indies were acquired to the Company, in virtue of grants from the Great Mogul in the nature of offices and jurisdictions, to be held under *him* and dependent upon *his* crown; with the express condition of being obedient to orders from *his* court, and of paying an annual tribute to *his* treasury. It is true that no obedience is yielded to these orders; and for some time past there has been no payment made of this tribute. But it is under a grant, so conditioned, that they still hold. To subject the king of Great Britain as tributary to a foreign power, by the acts of his subjects—to suppose the grant valid, and yet the condition void—to suppose it good for the king, and insufficient for the Company—to suppose it an interest divisible between the parties,—these are some few of the many legal difficulties to be surmounted, before the common law of England can acknowledge the East-India Company's Asiatic affairs to be a subject matter of *prerogative*, so as to bring it within the verge of English jurisprudence It is a very anomalous species of power and property which is held by the East-India Company. Our English prerogative law does not furnish principles, much less precedents, by which it can be defined or adjusted. Nothing but the eminent dominion of parliament over every British subject in every concern, and in every circumstance in which he is placed, can adjust this.

From time to time, therefore, parliament provided for their government according to its discretion, and to its opinion of what was required by the public necessities. We do not know that his Majesty was entitled, by prerogative, to exercise any act of authority whatsoever in the Company's affairs, or that, in effect, such authority has ever been exercised. His Majesty's patronage was not taken away by that bill; because it is notorious that his Majesty never originally had the appointment of a single officer, civil or military, in the Company's establishment in India; nor has the least degree of patronage ever been acquired to the crown in any other manner or measure, than as the power was thought expedient to be granted by act of parliament; that is, by the very same authority by which the offices were disposed of and regulated in the bill, which his Majesty's servants have falsely and injuriously represented as infringing upon the prerogative of the crown.

Before the year 1773 the whole administration of India, and the whole patronage to office there, was in the hands of the East-India Company. The East-India Company is not a branch of his Majesty's prerogative administration, nor does that body exercise any species of authority under it, nor indeed from any British title, that does not derive all its legal validity from acts of parliament.

When a claim was asserted to the India territorial possessions in the occupation of the Company, these possessions were not claimed as parcel of his Majesty's patrimonial estate, or as a fruit of the ancient inheritance of his crown. They were claimed for the public. And when agreements were made with the East-India Company concerning any composition for the holding, or any participation of the profits, of those territories, the agreement was made with the public, and the preambles of the several acts have uniformly so stated it. These agreements were not made (even nominally) with his Majesty, but with parliament: and the bills making and establishing such agreements always originated in this House; which appropriated the money to await the disposition of parliament, without the ceremony of pre-

new intricate matter. Parliament may act wisely or unwisely, justly or unjustly; but parliament alone is competent to it.

vicus consent from the crown even so much as suggested by any of his ministers: which previous consent is an observance of decorum, not indeed of strict right, but generally paid when a new appropriation takes place in any part of his Majesty's prerogative revenues.

In pursuance of a right thus uniformly recognised, and uniformly acted on, when parliament undertook the reformation of the East-India Company in 1773, a commission was appointed as the commission in the late bill was appointed; and it was made to continue for a term of years, as the commission in the late bill was to continue; all the commissioners were named in parliament, as in the late bill they were named. As they received, so they held their offices, wholly independent of the crown; they held them for a fixed term; they were not removable by an address of either House, or even of both Houses of Parliament, a precaution observed in the late bill relative to the commissioners proposed therein; nor were they bound by the strict rules of proceeding, which regulated and restrained the late commissioners against all possible abuse of a power which could not fail of being diligently and zealously watched by the ministers of the crown, and the proprietors of the stock, as well as by parliament. Their proceedings were, in that bill, directed to be of such a nature, as easily to subject them to the strictest revision of both, in case of any malversation.

In the year 1780, an act of parliament again made provision for the government of those territories for another four years, without any sort of reference to prerogative; nor was the least objection taken at the second, more than at the first, of those periods, as if an infringement had been made upon the rights of the crown; yet his Majesty's ministers have thought fit to represent the late commission as an entire innovation on the constitution, and the setting up a new order and estate in the nation, tending to the subversion of the monarchy itself.

If the government of the East Indies, other than by his Majesty's prerogative, be, in effect, a fourth order in the commonwealth, this order has long existed; because the East-India Company has for many years enjoyed it in the fullest extent, and does at this day enjoy the whole admin-

istration of those provinces, and the patronage to offices throughout that great empire, except as it is controlled by act of parliament.

It was the ill condition, and ill administration of the Company's affairs, which induced this House (merely as a temporary establishment) to vest the same powers which the Company did before possess, (and no other,) for a limited time, and under very strict directions, in proper hands, until they could be restored, or further provision made concerning them. It was therefore no creation whatever of a new power, but the removal of an old power, long since created, and then existing, from the management of those persons who had manifestly and dangerously abused their trust. This House, which well knows the parliamentary origin of all the Company's powers and privileges, and is not ignorant or negligent of the authority which may vest those powers and privileges in others, if justice and the public safety so require, is conscious to itself, that it no more creates a new order in the state, by making occasional trustees, for the direction of the Company, than it originally did in giving a much more permanent trust to the directors, or to the general court of that body. The monopoly of the East-India Company was a derogation from the general freedom of trade belonging to his Majesty's people. The powers of government, and of peace and war, are parts of prerogative of the highest order. Of our competence to restrain the rights of all his subjects by act of parliament, and to vest those high and eminent prerogatives even in a particular company of merchants, there has been no question. We beg leave most humbly to claim as our right, and as a right which this House has always used, to frame such bills, for the regulation of that commerce, and of the territories held by the East-India Company, and everything relating to them, as to our discretion shall seem fit: and we assert and maintain, that therein we follow, and do not innovate on, the constitution.

That his Majesty's ministers, misled by their ambition, have endeavoured, if possible, to form a faction in the country against the popular part of the constitution; and have therefore thought proper to add to their slanderous accusation against a House of Parliament, relative to his Majesty's prerogative, another of a different nature, calculated for the

purpose of raising fears and jealousies among the corporate bodies of the kingdom, and of persuading uninformed persons belonging to those corporations to look to, and to make addresses to, them as protectors of their rights, under their several charters, from the designs which they, without any ground, charged the then House of Commons to have formed against *charters in general*. For this purpose they have not scrupled to assert, that the exertion of his Majesty's prerogative in the late precipitate change in his administration, and the dissolution of the late parliament, were measures adopted in order to rescue the people and their rights out of the hands of the House of Commons, their representatives.

We trust that his Majesty's subjects are not yet so far deluded as to believe that the charters, or that any other of their local or general privileges, can have a solid security in any place but where that security has always been looked for, and always found, in the House of Commons. Miserable and precarious indeed would be the state of their franchises, if they were to find no defence but from that quarter from whence they have always been attacked.[1] But

[1] The attempt upon charters and the privileges of the corporate bodies of the kingdom in the reigns of Charles the Second and James the Second, was made by the *crown*. It was carried on by the ordinary course of law, in courts instituted for the security of the property and franchises of the people. This attempt made by the *crown* was attended with complete success. The corporate rights of the city of London, and of all the companies it contains, were by solemn judgment of law declared forfeited, and all their franchises, privileges, properties, and estates were of course seized into the hands of the *crown*. The injury was from the crown; the redress was by parliament. A bill was brought into the *House of Commons*, by which the judgment against the city of London, and against the companies, was reversed; and this bill passed the House of Lords without any complaint of a trespass on their jurisdiction, although the bill was for a reversal of a judgment in law. By this act, which is in the second of William and Mary, chap. 8, the question of forfeiture of their charter is for ever taken out of the power of any court of law. No cognizance can be taken of it except in parliament.

Although the act above mentioned has declared the judgment against the corporation of London to be *illegal;* yet Blackstone makes no scruple of asserting, that "perhaps in strictness of law, the proceedings in most of them [the Quo Warranto causes] were sufficiently regular," leaving it in doubt, whether this regularity did not apply to the corporation of London, as well as to any of the rest; and he seems to blame the proceeding (as most blameable it was) not so much on account of illegality, as for the

the late House of Commons, in passing that bill, made no attack upon any powers or privileges, except such as a House

crown's having employed a legal proceeding for political purposes. He calls it "an exertion of *an act of law* for the purposes of the state."

The same security which was given to the city of London would have been extended to all the corporations, if the House of Commons could have prevailed. But the bill for that purpose passed but by a majority of one in the lords; and it was entirely lost by a prorogation, which is the act of the crown. Small, indeed, was the security which the corporation of London enjoyed, before the act of William and Mary, and which all the other corporations, secured by no statute, enjoyed at this hour, if strict law was employed against them. The use of that strict law has always been rendered very delicate by the same means by which the almost unmeasured legal powers residing (and in many instances dangerously residing) in the crown, are kept within due bounds; I mean, that strong superintending power in the House of Commons, which inconsiderate people have been prevailed on to condemn as trenching on prerogative. Strict law is by no means such a friend to the rights of the subject, as they have been taught to believe. They who have been most conversant in this kind of learning, will be most sensible of the danger of submitting corporate rights of high political importance to these subordinate tribunals. The general heads of law on that subject are vulgar and trivial. On them there is not much question. But it is far from easy to determine what special acts, or what special neglect of action, shall subject corporations to a forfeiture. There is so much laxity in this doctrine, that great room is left for favour or prejudice, which might give to the crown an entire dominion over those corporations. On the other hand, it is undoubtedly true, that every subordinate corporate right ought to be subject to control; to superior direction; and even to forfeiture upon just cause. In this reason and law agree. In every judgment given on a corporate right of great political importance, the policy and prudence make no small part of the question. To these considerations a court of law is not competent; and indeed an attempt at the least intermixture of such ideas with the matter of law could have no other effect, than wholly to corrupt the judicial character of the court, in which such a cause should come to be tried. It is besides to be remarked, that if, in virtue of a legal process, a forfeiture should be adjudged, the court of law has no power to modify or mitigate. The whole franchise is annihilated, and the corporate property goes into the hands of the crown. They who hold the new doctrines concerning the power of the House of Commons, ought well to consider in such a case by what means the corporate rights could be revived, or the property could be recovered out of the hands of the crown. But parliament can do what the courts neither can do nor ought to attempt. Parliament is competent to give due weight to all political considerations. It may modify, it may mitigate, and it may render perfectly secure, all that it does not think fit to take away. It is not likely that parliament will ever draw to itself the cognizance of questions concerning ordinary corporations, farther than to protect them in case attempts are made to induce a forfeiture of their franchises.

of Commons has frequently attacked, and will attack, (and they trust, in the end, with their wonted success,) that is, upon those which are corruptly and oppressively administered; and this House do faithfully assure his Majesty, that we will correct, and, if necessary for the purpose, as far as in us lies, will wholly destroy, every species of power and authority exercised by British subjects to the oppression, wrong, and detriment, of the people, and to the impoverishment and desolation of the countries subject to it.

The propagators of the calumnies against that House of Parliament have been indefatigable, in exaggerating the supposed injury done to the East-India Company by the suspension of the authorities which they have, in every instance, abused; as if power had been wrested, by wrong and violence, from just and prudent hands: but they have, with equal care, concealed the weighty grounds and reasons on which that House had adopted the most moderate of all pos-

The case of the East-India Company is different even from that of the greatest of these corporations. No monopoly of trade, beyond their own limits, is vested in the corporate body of any town or city in the kingdom. Even within these limits the monopoly is not general. The Company has the monopoly of the trade of half the world. The first corporation of the kingdom has for the object of its jurisdiction only a few matters of subordinate police. The East-India Company governs an empire through all its concerns, and all its departments, from the lowest office of economy to the highest councils of state—an empire to which Great Britain is in comparison but a respectable province. To leave these concerns without superior cognizance would be madness; to leave them to be judged in the courts below, on the principles of a confined jurisprudence, would be folly. It is well if the whole legislative power is competent to the correction of abuses, which are commensurate to the immensity of the object they affect. The idea of an absolute power has indeed its terrors; but that objection lies to every parliamentary proceeding; and as no other can regulate the abuses of such a charter, it is fittest that sovereign authority should be exercised, where it is most likely to be attended with the most effectual correctives. These correctives are furnished by the nature and course of parliamentary proceedings, and by the infinitely diversified characters who compose the two Houses. In effect and virtually they form a vast number, variety, and succession of judges and jurors. The fulness, the freedom, and publicity, of discussion, leaves it easy to distinguish what are acts of power, and what the determinations of equity and reason. There prejudice corrects prejudice, and the different asperities of party zeal mitigate and neutralize each other. So far from violence being the general characteristic of the proceedings of parliament, whatever the beginnings of any parliamentary process may be, its general fault in the end is, that it is found incomplete and ineffectual.

sible expedients for rescuing the natives of India from oppression, and for saving the interest of the real and honest proprietors of their stock, as well as that great national commercial concern, from imminent ruin.

The ministers aforesaid have also caused it to be reported, that the House of Commons have confiscated the property of the East-India Company. It is the reverse of truth. The whole management was a trust for the proprietors, under their own inspection, (and it was so provided for in the bill,) and under the inspection of parliament. That bill, so far from confiscating the Company's property, was the only one which, for several years past, did not, in some shape or other, affect their property, or restrain them in the disposition of it.

It is proper that his Majesty and all his people should be informed, that the House of Commons have proceeded, with regard to the East-India Company, with a degree of care, circumspection, and deliberation, which has not been equalled in the history of parliamentary proceedings. For sixteen years the state and condition of that body has never been wholly out of their view: in the year 1767 the House took those objects into consideration, in a committee of the whole House: the business was pursued in the following year: in the year 1772, two committees were appointed for the same purpose, which examined into their affairs with much diligence, and made very ample reports: in the year 1773, the proceedings were carried to an act of parliament, which proved ineffectual to its purpose: the oppressions and abuses in India have since rather increased than diminished, on account of the greatness of the temptations, and convenience of the opportunities, which got the better of the legislative provisions calculated against ill practices, then in their beginnings; insomuch that, in 1781, two committees were again instituted, who have made seventeen Reports. It was upon the most minute, exact, and laborious collection and discussion of facts, that the late House of Commons proceeded in the reform which they attempted in the administration of India, but which has been frustrated by ways and means the most dishonourable to his Majesty's government, and the most pernicious to the constitution of this kingdom. His Majesty was so sensible of the disorders in the Company's administration, that the consideration of that subject was to

less than six times recommended to this House in speeches from the throne.

The result of the parliamentary inquiries has been, that the East-India Company was found totally corrupted, and totally perverted from the purposes of its institution, whether political or commercial; that the powers of war and peace given by the charter had been abused, by kindling hostilities in every quarter for the purposes of rapine; that almost all the treaties of peace they have made, have only given cause to so many breaches of public faith; that countries once the most flourishing are reduced to a state of indigence, decay, and depopulation, to the diminution of our strength, and to the infinite dishonour of our national character; that the laws of this kingdom are notoriously, and almost in every instance, despised; that the servants of the Company, by the purchase of qualifications to vote in the general court, and, at length, by getting the Company itself deeply in their debt, have obtained the entire and absolute mastery in the body, by which they ought to have been ruled and coerced. Thus their malversations in office are supported instead of being checked by the Company. The whole of the affairs of that body are reduced to a most perilous situation; and many millions of innocent and deserving men, who are under the protection of this nation, and who ought to be protected by it, are oppressed by a most despotic and rapacious tyranny. The Company and their servants, having strengthened themselves by this confederacy, have set at defiance the authority and admonitions of this House employed to reform them; and when this House had selected certain principal delinquents, whom they declared it the duty of the Company to recall, the Company held out its legal privileges against all reformation; positively refused to recall them; and supported those who had fallen under the just censure of this House, with new and stronger marks of countenance and approbation.

The late House discovering the reversed situation of the Company, by which the nominal servants are really the masters, and the offenders are become their own judges, thought fit to examine into the state of their commerce: and they have also discovered that their commercial affairs are in the greatest disorder, that their debts have accumulated

beyond any present or obvious future means of payment, at least under the actual administration of their affairs; that this condition of the East-India Company has begun to affect the sinking fund itself, on which the public credit of the kingdom rests, a million and upwards being due to the customs, which that House of Commons, whose intentions towards the Company have been so grossly misrepresented, were indulgent enough to respite. And thus, instead of confiscating their property, the Company received without interest (which in such a case had been before charged) the use of a very large sum of the public money. The revenues are under the peculiar care of this House, not only as the revenues originate from us, but as, on every failure of the funds set apart for support of the national credit, or to provide for the national strength and safety, the task of supplying every deficiency falls upon his Majesty's faithful Commons, this House must, in effect, tax the people. The House therefore, at every moment, incurs the hazard of becoming obnoxious to its constituents.

The enemies of the late House of Commons resolved, if possible, to bring on that event. They therefore endeavoured to misrepresent the provident means adopted by the House of Commons for keeping off this invidious necessity, as an attack on the rights of the East-India Company; for they well knew, that on the one hand, if, for want of proper regulation and relief, the Company should become insolvent, or even stop payment, the national credit and commerce would sustain a heavy blow: and that calamity would be justly imputed to parliament, which, after such long inquiries, and such frequent admonitions from his Majesty, had neglected so essential and so urgent an article of their duty: on the other hand they knew, that, wholly corrupted as the Company is, nothing effectual could be done to preserve that interest from ruin, without taking for a time the national objects of their trusts out of their hands; and then a cry would be industriously raised against the House of Commons, as depriving British subjects of their legal privileges. The restraint, being plain and simple, must be easily understood by those who would be brought with great difficulty to comprehend the intricate detail of matters of fact, which render this suspension of the administration of India absolutely

necessary on motives of justice, of policy, of public honour, and public safety.

The House of Commons had not been able to devise a method, by which the redress of grievances could be effected through the authors of those grievances; nor could they imagine how corruptions could be purified by the corrupters and the corrupted; nor do we now conceive, how any reformation can proceed from the known abettors and supporters of the persons who have been guilty of the misdemeanors which parliament has reprobated, and who for their own ill purposes have given countenance to a false and delusive state of the Company's affairs, fabricated to mislead parliament, and to impose upon the nation.[1]

Your Commons feel, with a just resentment, the inadequate estimate which your ministers have formed of the importance of this great concern. They call on us to act upon the principles of those who have not inquired into the subject; and to condemn those, who, with the most laudable diligence, have examined and scrutinized every part of it. The deliberations of parliament have been broken; the season of the year is unfavourable; many of us are new members, who must be wholly unacquainted with the subject, which lies remote from the ordinary course of general information.

We are cautioned against an infringement of the constitution; and it is impossible to know, what the secret advisers of the crown, who have driven out the late ministers for their conduct in parliament, and have dissolved the late parliament for a pretended attack upon prerogative, will consider as such an infringement. We are not furnished with a rule, the observance of which can make us safe from the resentment of the crown, even by an implicit obedience to the dictates of the ministers who have advised that speech: we know not how soon those ministers may be disavowed;

[1] The purpose of the misrepresentation being now completely answered, there is no doubt but the committee in this parliament, appointed by the ministers themselves, will justify the grounds upon which the last parliament proceeded; and will lay open to the world the dreadful state of the Company's affairs, and the grossness of their own calumnies upon this head. By delay the new assembly is come into the disgraceful situation of allowing a dividend of eight per cent. by act of parliament, without the least matter before them to justify the granting of any dividend at all.

and how soon the members of this House, for our very agreement with them, may be considered as objects of his Majesty's displeasure. Until by his Majesty's goodness and wisdom the late example is completely done away, we are not free.

We are well aware, in providing for the affairs of the East, with what an adult strength of abuse, and of wealth and influence growing out of that abuse, his Majesty's Commons had, in the last parliament, and we still have, to struggle. We are sensible that the influence of that wealth, in a much larger degree and measure than at any former period, may have penetrated into the very quarter from whence alone any real reformation can be expected.[1]

If, therefore, in the arduous affairs recommended to us, our proceedings should be ill adapted, feeble, and ineffectual; if no delinquency should be prevented, and no delinquent should be called to account; if every person should be caressed, promoted, and raised in power, in proportion to the enormity of his offences; if no relief should be given to any of the natives unjustly dispossessed of their rights, jurisdictions, and properties; if no cruel and unjust exactions shall be forborne; if the source of no peculation, or oppressive gain, should be cut off; if, by the omission of the opportunities that were in our hands, our Indian empire should fall

[1] This will be evident to those who consider the number and description of directors and servants of the East-India Company, chosen into the present parliament. The light in which the present ministers hold the labours of the House of Commons, in searching into the disorders in the Indian administration, and all its endeavours for the reformation of the government there, without any distinction of times, or of the persons concerned, will appear from the following extract from a speech of the present lord chancellor. After making a high-flown panegyric on those whom the House of Commons had condemned by their resolutions, he said—"Let us not be misled by reports from committees of *another* House, to which, I again repeat, *I pay as much attention as I would do to the History of Robinson Crusoe.* Let the conduct of the East-India Company be fairly and fully inquired into. *Let it* be acquitted or condemned by evidence brought to the bar of the House. Without entering very deeply into the subject, let me reply in a few words to an observation which fell from a noble and learned lord, that the Company's finances are distressed, and that they owe, at this moment, a million sterling to the nation. When such a charge is brought, will parliament in its justice forget that the Company is restricted from employing *that credit which its great and flourishing situation* gives to it?"

into ruin irretrievable, and in its fall crush the credit, and overwhelm the revenues, of this country, we stand acquitted to our honour and to our conscience, who have reluctantly seen the weightiest interests of our country, at times the most critical to its dignity and safety, rendered the sport of the inconsiderate and unmeasured ambition of individuals, and by that means the wisdom of his Majesty's government degraded in the public estimation, and the policy and character of this renowned nation rendered contemptible in the eyes of all Europe.

It passed in the negative.

REFLECTIONS

ON

THE REVOLUTION IN FRANCE,

AND

ON THE PROCEEDINGS IN CERTAIN SOCIETIES IN LONDON RELATIVE TO THAT EVENT:

IN A LETTER

INTENDED TO HAVE BEEN SENT TO A GENTLEMAN IN PARIS.

1790.

It may not be unnecessary to inform the reader, that the following Reflections had their origin in a correspondence between the Author and a very young gentleman at Paris, who did him the honour of desiring his opinion upon the important transactions, which then, and ever since, have so much occupied the attention of all men. An answer was written some time in the month of October, 1789; but it was kept back upon prudential considerations. That letter is alluded to in the beginning of the following sheets. It has been since forwarded to the person to whom it was addressed. The reasons for the delay in sending it were assigned in a short letter to the same gentleman. This produced on his part a new and pressing application for the Author's sentiments.

The Author began a second and more full discussion of the subject. This he had some thoughts of publishing early in the last spring; but, the matter gaining upon him, he found that what he had undertaken not only far exceeded the measure of a letter, but that its importance required

rather a more detailed consideration than at that time he had any leisure to bestow upon it. However, having thrown down his first thoughts in the form of a letter, and, indeed, when he sat down to write, having intended it for a private letter, he found it difficult to change the form of address, when his sentiments had grown into a greater extent, and had received another direction. A different plan, he is sensible, might be more favourable to a commodious division and distribution of his matter.

DEAR SIR,

You are ple[illegible], and with some earnestness, for my thoughts on the late proceedings in France. I will not give you reason to imagine that I think my sentiments of such value as to wish myself to be solicited about them. They are of too little consequence to be very anxiously either communicated or withheld. It was from attention to you, and to you only, that I hesitated at the time when you first desired to receive them. In the first letter I had the honour to write to you, and which at length I send, I wrote neither for, nor from, any description of men; nor shall I in this. My errors, if any, are my own. My reputation alone is to answer for them.

You see, Sir, by the long letter I have transmitted to you, that though I do most heartily wish that France may be animated by a spirit of rational liberty, and that I think you bound, in all honest policy, to provide a permanent body in which that spirit may reside, and an effectual organ by which it may act, it is my misfortune to entertain great doubts concerning several material points in your late transactions.

You imagined, when you wrote last, that I might possibly be reckoned among the approvers of certain proceedings in France, from the solemn public seal of sanction they have received from two clubs of gentlemen in London, called the Constitutional Society, and the Revolution Society.

I certainly have the honour to belong to more clubs than one, in which the constitution of this kingdom, and the principles of the glorious Revolution, are held in high reverence: and I reckon myself among the most forward in

my zeal for maintaining that constitution and those principles in their utmost purity and vigour. It is because I do so that I think it necessary for me that there should be no mistake. Those who cultivate the memory of our Revolution, and those who are attached to the constitution of this kingdom, will take good care how they are involved with persons, who under the pretext of zeal towards the Revolution and constitution too frequently wander from their true principles; and are ready on every occasion to depart from the firm but cautious and deliberate spirit which produced the one, and which presides in the other. Before I proceed to answer the more material particulars in your letter, I shall beg leave to give you such information as I have been able to obtain of the two clubs which have thought proper, as bodies, to interfere in the concerns of France; first assuring you, that I am not, and that I have never been, a member of either of those societies.

The first, calling itself the Constitutional Society, or Society for Constitutional Information, or by some such title, is, I believe, of seven or eight years standing. The institution of this society appears to be of a charitable, and so far of a laudable nature: it was intended for the circulation, at the expense of the members, of many books, which few others would be at the expense of buying; and which might lie on the hands of the booksellers, to the great loss of an useful body of men. Whether the books, so charitably circulated, were ever as charitably read, is more than I know. Possibly several of them have been exported to France; and, like goods not in request here, may with you have found a market. I have heard much talk of the lights to be drawn from books that are sent from hence. What improvements they have had in their passage (as it is said some liquors are meliorated by crossing the sea) I cannot tell: but I never heard a man of common judgment, or the least degree of information, speak a word in praise of the greater part of the publications circulated by that society; nor have their proceedings been accounted, except by some of themselves, as of any serious consequence.

Your National Assembly seems to entertain much the same opinion that I do of this poor charitable club. As a nation, you reserved the whole stock of your eloquent acknowledg-

ments for the Revolution Society; when their fellows in the Constitutional were, in equity, entitled to some share. Since you have selected the Revolution Society as the great object of your national thanks and praises, you will think me excusable in making its late conduct the subject of my observations. The National Assembly of France has given importance to these gentlemen by adopting them: and they return the favour, by acting as a committee in England for extending the principles of the National Assembly. Henceforward we must consider them as a kind of privileged persons; as no inconsiderable members in the diplomatic body. This is one among the revolutions which have given splendour to obscurity, and distinction to undiscerned merit. Until very lately I do not recollect to have heard of this club. I am quite sure that it never occupied a moment of my thoughts; nor, I believe, those of any person out of their own set. I find, upon inquiry, that on the anniversary of the Revolution in 1688, a club of dissenters, but of what denomination I know not, have long had the custom of hearing a sermon in one of their churches; and that afterwards they spent the day cheerfully, as other clubs do, at the tavern. But I never heard that any public measure, or political system, much less that the merits of the constitution of any foreign nation, had been the subject of a formal proceeding at their festivals; until, to my inexpressible surprise, I found them in a sort of public capacity, by a congratulatory address, giving an authoritative sanction to the proceedings of the National Assembly in France.

In the ancient principles and conduct of the club, so far at least as they were declared, I see nothing to which I could take exception. I think it very probable, that for some purpose, new members may have entered among them; and that some truly Christian politicians, who love to dispense benefits, but are careful to conceal the hand which distributes the dole, may have made them the instruments of their pious designs. Whatever I may have reason to suspect concerning private management, I shall speak of nothing as of a certainty but what is public.

For one, I should be sorry to be thought, directly or indirectly, concerned in their proceedings. I certainly take my full share, along with the rest of the world, in my indi-

vidual and private capacity, in speculating on what has been done, or is doing, on the public stage, in any place ancient or modern; in the republic of Rome, or the republic of Paris; but having no general apostolical mission, being a citizen of a particular state, and being bound up, in a considerable degree, by its public will, I should think it at least improper and irregular for me to open a formal public correspondence with the actual government of a foreign nation, without the express authority of the government under which I live.

I should be still more unwilling to enter into that correspondence under anything like an equivocal description, which to many, unacquainted with our usages, might make the address, in which I joined, appear as the act of persons in some sort of corporate capacity, acknowledged by the laws of this kingdom, and authorized to speak the sense of some part of it. On account of the ambiguity and uncertainty of unauthorized general descriptions, and of the deceit which may be practised under them, and not from mere formality, the House of Commons would reject the most sneaking petition for the most trifling object, under that mode of signature to which you have thrown open the folding doors of your presence chamber, and have ushered into your National Assembly with as much ceremony and parade, and with as great a bustle of applause, as if you had been visited by the whole representative majesty of the whole English nation. If what this society has thought proper to send forth had been a piece of argument, it would have signified little whose argument it was. It would be neither the more nor the less convincing on account of the party it came from. But this is only a vote and resolution. It stands solely on authority; and in this case it is the mere authority of individuals, few of whom appear. Their signatures ought, in my opinion, to have been annexed to their instrument. The world would then have the means of knowing how many they are; who they are; and of what value their opinions may be, from their personal abilities, from their knowledge, their experience, or their lead and authority in this state. To me, who am but a plain man, the proceeding looks a little too refined, and too ingenious; it has too much the air of a political stratagem, adopted for the sake of giving, under a high-sounding name, an importance to the public declarations of this club, which, when the

matter came to be closely inspected, they did not altogether so well deserve. It is a policy that has very much the complexion of a fraud.

I flatter myself that I love a manly, moral, regulated liberty as well as any gentleman of that society, be he who he will; and perhaps I have given as good proofs of my attachment to that cause, in the whole course of my public conduct. I think I envy liberty as little as they do, to any other nation. But I cannot stand forward, and give praise or blame to anything which relates to human actions, and human concerns, on a simple view of the object, as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Circumstances (which with some gentlemen pass for nothing) give in reality to every political principle its distinguishing colour and discriminating effect. The circumstances are what render every civil and political scheme beneficial or noxious to mankind. Abstractedly speaking, government, as well as liberty, is good; yet could I, in common sense, ten years ago, have felicitated France on her enjoyment of a government (for she then had a government) without inquiry what the nature of that government was, or how it was administered? Can I now congratulate the same nation upon its freedom? Is it because liberty in the abstract may be classed amongst the blessings of mankind, that I am seriously to felicitate a mad-man, who has escaped from the protecting restraint and wholesome darkness of his cell, on his restoration to the enjoyment of light and liberty? Am I to congratulate a highwayman and murderer, who has broke prison, upon the recovery of his natural rights? This would be to act over again the scene of the criminals condemned to the galleys, and their heroic deliverer, the metaphysic knight of the sorrowful countenance.

When I see the spirit of liberty in action, I see a strong principle at work; and this, for a while, is all I can possibly know of it. The wild *gas*, the fixed air, is plainly broke loose: but we ought to suspend our judgment until the first effervescence is a little subsided, till the liquor is cleared, and until we see something deeper than the agitation of a troubled and frothy surface. I must be tolerably sure, before I venture publicly to congratulate men upon a blessing, that they

have really received one. Flattery corrupts both the receiver and the giver; and adulation is not of more service to the people than to kings. I should therefore suspend my congratulations on the new liberty of France, until I was informed how it had been combined with government; with public force; with the discipline and obedience of armies; with the collection of an effective and well-distributed revenue; with morality and religion; with the solidity of property; with peace and order; with civil and social manners. All these (in their way) are good things too; and, without them, liberty is not a benefit whilst it lasts, and is not likely to continue long. The effect of liberty to individuals is, that they may do what they please: we ought to see what it will please them to do, before we risk congratulations, which may be soon turned into complaints. Prudence would dictate this in the case of separate, insulated, private men; but liberty, when men act in bodies, is *power*. Considerate people, before they declare themselves, will observe the use which is made of *power;* and particularly of so trying a thing as *new* power in *new* persons, of whose principles, tempers, and dispositions they have little or no experience, and in situations, where those who appear the most stirring in the scene may possibly not be the real movers.

All these considerations however were below the transcendental dignity of the Revolution Society. Whilst I continued in the country, from whence I had the honour of writing to you, I had but an imperfect idea of their transactions. On my coming to town, I sent for an account of their proceedings, which had been published by their authority, containing a sermon of Dr. Price, with the Duke de Rochefaucault's and the Archbishop of Aix's letter, and several other documents annexed. The whole of that publication, with the manifest design of connecting the affairs of France with those of England, by drawing us into an imitation of the conduct of the National Assembly, gave me a considerable degree of uneasiness. The effect of that conduct upon the power, credit, prosperity, and tranquillity of France, became every day more evident. The form of constitution to be settled, for its future polity, became more clear. We are now in a condition to discern, with tolerable exactness, the true nature of the object held up to our imita-

tion. If the prudence of reserve and decorum dictates silence in some circumstances, in others prudence of a higher order may justify us in speaking our thoughts. The beginnings of confusion with us in England are at present feeble enough; but, with you, we have seen an infancy, still more feeble, growing by moments into a strength to heap mountains upon mountains, and to wage war with heaven itself. Whenever our neighbour's house is on fire, it cannot be amiss for the engines to play a little on our own. Better to be despised for too anxious apprehensions, than ruined by too confident a security.

Solicitous chiefly for the peace of my own country, but by no means unconcerned for yours, I wish to communicate more largely what was at first intended only for your private satisfaction. I shall still keep your affairs in my eye, and continue to address myself to you. Indulging myself in the freedom of epistolary intercourse, I beg leave to throw out my thoughts, and express my feelings, just as they arise in my mind, with very little attention to formal method. I set out with the proceedings of the Revolution Society; but I shall not confine myself to them. Is it possible I should? It appears to me as if I were in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French Revolution is the most astonishing that has hitherto happened in the world. The most wonderful things are brought about in many instances by means the most absurd and ridiculous; in the most ridiculous modes; and, apparently, by the most contemptible instruments. Everything seems out of nature in this strange chaos of levity and ferocity, and of all sorts of crimes jumbled together with all sorts of follies. In viewing this monstrous tragi-comic scene, the most opposite passions necessarily succeed, and sometimes mix with each other in the mind; alternate contempt and indignation; alternate laughter and tears; alternate scorn and horror.

It cannot however be denied, that to some this strange scene appeared in quite another point of view. Into them it inspired no other sentiments than those of exultation and rapture. They saw nothing in what has been done in France, but a firm and temperate exertion of freedom · so consistent, on the whole, with morals and with piety as to make it

deserving not only of the secular applause of dashing Machiavelian politicians, but to render it a fit theme for all the devout effusions of sacred eloquence.

On the forenoon of the 4th of November last, Doctor Richard Price, a non-conforming minister of eminence, preached at the dissenting meeting-house of the Old Jewry, to his club or society, a very extraordinary miscellaneous sermon, in which there are some good moral and religious sentiments, and not ill expressed, mixed up in a sort of porridge of various political opinions and reflections; but the Revolution in France is the grand ingredient in the cauldron. I consider the address transmitted by the Revolution Society to the National Assembly, through Earl Stanhope, as originating in the principles of the sermon, and as a corollary from them. It was moved by the preacher of that discourse. It was passed by those who came reeking from the effect of the sermon, without any censure or qualification, expressed or implied. If, however, any of the gentlemen concerned shall wish to separate the sermon from the resolution, they know how to acknowledge the one, and to disavow the other. They may do it: I cannot.

For my part, I looked on that sermon as the public declaration of a man much connected with literary caballers, and intriguing philosophers; with political theologians, and theological politicians, both at home and abroad. I know they set him up as a sort of oracle; because, with the best intentions in the world, he naturally *philippizes*, and chants his prophetic song in exact unison with their designs.

That sermon is in a strain which I believe has not been heard in this kingdom, in any of the pulpits which are tolerated or encouraged in it, since the year 1648; when a predecessor of Dr. Price, the Rev. Hugh Peters, made the vault of the king's own chapel at St. James's ring with the honour and privilege of the saints, who, with the "high praises of God in their mouths, and a *two*-edged sword in their hands, were to execute judgment on the heathen, and punishments upon the *people;* to bind their *kings* with chains, and their *nobles* with fetters of iron."[1] Few harangues from the pulpit, except in the days of your league in France, or in the days of our solemn league and covenant in England, have

[1] Psalm cxlix.

ever breathed less of the spirit of moderation than this lecture in the Old Jewry. Supposing, however, that something like moderation were visible in this political sermon; yet politics and the pulpit are terms that have little agreement. No sound ought to be heard in the church but the healing voice of Christian charity. The cause of civil liberty and civil government gains as little as that of religion by this confusion of duties. Those who quit their proper character, to assume what does not belong to them, are, for the greater part, ignorant both of the character they leave, and of the character they assume. Wholly unacquainted with the world in which they are so fond of meddling, and inexperienced in all its affairs, on which they pronounce with so much confidence, they have nothing of politics but the passions they excite. Surely the church is a place where one day's truce ought to be allowed to the dissensions and animosities of mankind.

This pulpit style, revived after so long a discontinuance, had to me the air of novelty, and of a novelty not wholly without danger. I do not charge this danger equally to every part of the discourse. The hint given to a noble and reverend lay-divine, who is supposed high in office in one of our universities,[1] and other lay-divines "of *rank* and literature," may be proper and seasonable, though somewhat new. If the noble *Seekers* should find nothing to satisfy their pious fancies in the old staple of the national church, or in all the rich variety to be found in the well-assorted warehouses of the dissenting congregations, Dr. Price advises them to improve upon non-conformity; and to set up, each of them, a separate meeting-house upon his own particular principles.[2] It is somewhat remarkable that this reverend divine should be so earnest for setting up new churches, and so perfectly indifferent concerning the doctrine which may be taught in them. His zeal is of a curious character. It is not for the propagation of his own opinions, but of any

[1] Discourse on the Love of our Country, Nov. 4th, 1789, by Dr. Richard Price, 3rd edition, p. 17 and 18.

[2] "Those who dislike that mode of worship which is prescribed by public authority, ought, if they can find *no* worship *out* of the church which they approve, *to set up a separate worship for themselves;* and by doing this, and giving an example of a rational and manly worship, men of *weight* from their *rank* and literature may do the greatest service to society and the world."—P. 18 Dr Price's Sermon

opinions. It is not for the diffusion of truth, but for the spreading of contradiction. Let the noble teachers but dissent, it is no matter from whom or from what. This great point once secured, it is taken for granted their religion will be rational and manly. I doubt whether religion would reap all the benefits which the calculating divine computes from this "great company of great preachers." It would certainly be a valuable addition of non-descripts to the ample collection of known classes, genera and species, which at present beautify the *hortus siccus* of dissent. A sermon from a noble duke, or a noble marquis, or a noble earl, or baron bold, would certainly increase and diversify the amusements of this town, which begins to grow satiated with the uniform round of its vapid dissipations. I should only stipulate that these new *Mess-Johns* in robes and coronets should keep some sort of bounds in the democratic and levelling principles which are expected from their titled pulpits. The new evangelists will, I dare say, disappoint the hopes that are conceived of them. They will not become, literally as well as figuratively, polemic divines, nor be disposed so to drill their congregations, that they may, as in former blessed times, preach their doctrines to regiments of dragoons and corps of infantry and artillery. Such arrangements, however favourable to the cause of compulsory freedom, civil and religious, may not be equally conducive to the national tranquillity. These few restrictions I hope are no great stretches of intolerance, no very violent exertions of despotism.

But I may say of our preacher, "*utinam nugis tota illa dedisset tempora sævitiæ.*"—All things in this his fulminating bull are not of so innoxious a tendency. His doctrines affect our constitution in its vital parts. He tells the Revolution Society in this political sermon, that his Majesty "is almost the *only* lawful king in the world, because the *only* one who owes his crown to the *choice of his people.*" As to the kings of *the world*, all of whom (except one) this archpontiff of the *rights of men*, with all the plenitude, and with more than the boldness, of the papal deposing power in its meridian fervour of the twelfth century, puts into one sweeping clause of ban and anathema, and proclaims usurpers by circles of longitude and latitude, over the whole globe, it behoves them to consider how they admit into their terri-

tories these apostolic missionaries, who are to tell their subjects they are not lawful kings. That is their concern. It is ours, as a domestic interest of some moment, seriously to consider the solidity of the *only* principle upon which these gentlemen acknowledge a king of Great Britain to be entitled to their allegiance.

This doctrine, as applied to the prince now on the British throne, either is nonsense, and therefore neither true nor false, or it affirms a most unfounded, dangerous, illegal, and unconstitutional position. According to this spiritual doctor of politics, if his Majesty does not owe his crown to the choice of his people, he is no *lawful king*. Now nothing can be more untrue than that the crown of this kingdom is so held by his Majesty. Therefore if you follow their rule, the king of Great Britain, who most certainly does not owe his high office to any form of popular election, is in no respect better than the rest of the gang of usurpers, who reign, or rather rob, all over the face of this our miserable world, without any sort of right or title to the allegiance of their people. The policy of this general doctrine, so qualified, is evident enough. The propagators of this political gospel are in hopes that their abstract principle (their principle that a popular choice is necessary to the legal existence of the sovereign magistracy) would be overlooked, whilst the king of Great Britain was not affected by it. In the mean time the ears of their congregations would be gradually habituated to it, as if it were a first principle admitted without dispute. For the present it would only operate as a theory, pickled in the preserving juices of pulpit eloquence, and laid by for future use. *Condo et compono quæ mox depromere possim.* By this policy, whilst our government is soothed with a reservation in its favour, to which it has no claim, the security, which it has in common with all governments, so far as opinion is security, is taken away.

Thus these politicians proceed, whilst little notice is taken of their doctrines; but when they come to be examined upon the plain meaning of their words, and the direct tendency of their doctrines, then equivocations and slippery constructions come into play. When they say the king owes his crown to the choice of his people, and is therefore the only lawful sovereign in the world, they will perhaps tell us their mean

to say no more than that some of the king's predecessors have been called to the throne by some sort of choice; and therefore he owes his crown to the choice of his people. Thus, by a miserable subterfuge, they hope to render their proposition safe, by rendering it nugatory. They are welcome to the asylum they seek for their offence, since they take refuge in their folly. For, if you admit this interpretation, how does their idea of election differ from our idea of inheritance? And how does the settlement of the crown in the Brunswick line derived from James the First come to legalize our monarchy, rather than that of any of the neighbouring countries? At some time or other, to be sure, all the beginners of dynasties were chosen by those who called them to govern. There is ground enough for the opinion that all the kingdoms of Europe were, at a remote period, elective, with more or fewer limitations in the objects of choice. But whatever kings might have been here, or elsewhere, a thousand years ago, or in whatever manner the ruling dynasties of England or France may have begun, the king of Great Britain is, at this day, king by a fixed rule of succession, according to the laws of his country; and whilst the legal conditions of the compact of sovereignty are performed by him, (as they are performed,) he holds his crown in contempt of the choice of the Revolution Society, who have not a single vote for a king amongst them, either individually or collectively; though I make no doubt they would soon erect themselves into an electoral college, if things were ripe to give effect to their claim. His Majesty's heirs and successors, each in his time and order, will come to the crown with the same contempt of their choice with which his Majesty has succeeded to that he wears.

Whatever may be the success of evasion in explaining away the gross error of *fact*, which supposes that his Majesty (though he holds it in concurrence with the wishes) owes his crown to the choice of his people, yet nothing can evade their full explicit declaration, concerning the principle of a right in the people to choose; which right is directly maintained, and tenaciously adhered to. All the oblique insinuations concerning election bottom in this proposition, and are referable to it. Lest the foundation of the king's exclusive legal title should pass for a mere rant of adulatory free-

dom, the political divine proceeds dogmatically to assert,[1] that, by the principles of the Revolution, the people of England have acquired three fundamental rights, all which, with him, compose one system, and lie together in one short sentence; namely, that we have acquired a right,

1. "To choose our own governors."
2. "To cashier them for misconduct."
3. "To frame a government for ourselves."

This new, and hitherto unheard-of, bill of rights, though made in the name of the whole people, belongs to those gentlemen and their faction only. The body of the people of England have no share in it. They utterly disclaim it. They will resist the practical assertion of it with their lives and fortunes. They are bound to do so by the laws of their country, made at the time of that very Revolution which is appealed to in favour of the fictitious rights claimed by the Society which abuses its name.

These gentlemen of the Old Jewry, in all their reasonings on the Revolution of 1688, have a Revolution which happened in England about forty years before, and the late French Revolution, so much before their eyes, and in their hearts, that they are constantly confounding all the three together. It is necessary that we should separate what they confound. We must recall their erring fancies to the *acts* of the Revolution which we revere, for the discovery of its true *principles*. If the *principles* of the Revolution of 1688 are anywhere to be found, it is in the statute called the *Declaration of Right*. In that most wise, sober, and considerate declaration, drawn up by great lawyers and great statesmen, and not by warm and inexperienced enthusiasts, not one word is said, nor one suggestion made, of a general right "to choose our own *governors*; to cashier them for misconduct; and to *form* a government for *ourselves*."

This Declaration of Right (the act of the 1st of William and Mary, sess. 2, ch. 2) is the corner-stone of our constitution, as reinforced, explained, improved, and in its fundamental principles for ever settled. It is called "An Act for declaring the rights and liberties of the subject, and for *settling* the *succession* of the crown." You will observe, that

[1] P. 34, Discourse on the Love of our Country, by Dr. Price.

these rights and this succession are declared in one body, and bound indissolubly together.

A few years after this period, a second opportunity offered for asserting a right of election to the crown. On the prospect of a total failure of issue from King William, and from the Princess, afterwards Queen Anne, the consideration of the settlement of the crown, and of a further security for the liberties of the people, again came before the legislature. Did they this second time make any provision for legalizing the crown on the spurious revolution principles of the Old Jewry? No. They followed the principles which prevailed in the Declaration of Right; indicating with more precision the persons who were to inherit in the Protestant line. This act also incorporated, by the same policy, our liberties, and an hereditary succession in the same act. Instead of a right to choose our own governors, they declared that the *succession* in that line (the Protestant line drawn from James the First) was absolutely necessary "for the peace, quiet, and security of the realm," and that it was equally urgent on them "to maintain a *certainty in the succession* thereof, to which the subjects may safely have recourse for their protection." Both these acts, in which are heard the unerring, unambiguous oracles of revolution policy, instead of countenancing the delusive, gipsy predictions of a "right to choose our governors," prove to a demonstration how totally adverse the wisdom of the nation was from turning a case of necessity into a rule of law.

Unquestionably there was at the Revolution, in the person of King William, a small and a temporary deviation from the strict order of a regular hereditary succession; but it is against all genuine principles of jurisprudence to draw a principle from a law made in a special case, and regarding an individual person. *Privilegium non transit in exemplum.* If ever there was a time favourable for establishing the principle, that a king of popular choice was the only legal king, without all doubt it was at the Revolution. Its not being done at that time is a proof that the nation was of opinion it ought not to be done at any time. There is no person so completely ignorant of our history as not to know, that the majority in parliament of both parties were so little disposed to anything resembling that principle, that at first

they were determined to place the vacant crown, not on the head of the Prince of Orange, but on that of his wife Mary, daughter of King James, the eldest born of the issue of that king, which they acknowledged as undoubtedly his. It would be to repeat a very trite story, to recall to your memory all those circumstances which demonstrated that their accepting King William was not properly a *choice;* but to all those who did not wish, in effect, to recall King James, or to deluge their country in blood, and again to bring their religion, laws, and liberties into the peril they had just escaped, it was an act of *necessity*, in the strictest moral sense in which necessity can be taken.

In the very act, in which for a time, and in a single case, parliament departed from the strict order of inheritance, in favour of a prince, who, though not next, was however very near, in the line of succession, it is curious to observe how Lord Somers, who drew the bill called the Declaration of Right, has comported himself on that delicate occasion. It is curious to observe with what address this temporary solution of continuity is kept from the eye; whilst all that could be found in this act of necessity to countenance the idea of an hereditary succession is brought forward, and fostered, and made the most of, by this great man, and by the legislature who followed him. Quitting the dry, imperative style of an act of parliament, he makes the Lords and Commons fall to a pious, legislative ejaculation, and declare, that they consider it "as a marvellous providence, and merciful goodness of God to this nation, to preserve their said Majesties' *royal* persons, most happily to reign over us *on the throne of their ancestors*, for which, from the bottom of their hearts, they return their humblest thanks and praises."—The legislature plainly had in view the act of recognition of the first of Queen Elizabeth, chap. 3rd, and of that of James the First, chap. 1st, both acts strongly declaratory of the inheritable nature of the crown, and in many parts they follow, with a nearly literal precision, the words and even the form of thanksgiving which is found in these old declaratory statutes.

The two Houses, in the act of King William, did not thank God that they had found a fair opportunity to assert a right to choose their own governors, much less to make an

election the *only lawful* title to the crown. Their having been in a condition to avoid the very appearance of it, as much as possible, was by them considered as a providential escape. They threw a politic, well-wrought veil over every circumstance tending to weaken the rights, which in the meliorated order of succession they meant to perpetuate; or which might furnish a precedent for any future departure from what they had then settled for ever. Accordingly, that they might not relax the nerves of their monarchy, and that they might preserve a close conformity to the practice of their ancestors, as it appeared in the declaratory statutes of Queen Mary[1] and Queen Elizabeth, in the next clause they vest, by recognition, in their Majesties, *all* the legal prerogatives of the crown, declaring, "that in them they are most *fully*, rightfully, and *entirely* invested, incorporated, united, and annexed." In the clause which follows, for preventing questions, by reason of any pretended titles to the crown, they declare, (observing also in this the traditionary language, along with the traditionary policy of the nation, and repeating as from a rubric the language of the preceding acts of Elizabeth and James,) that on the preserving "a *certainty* in the SUCCESSION thereof, the unity, peace, and tranquillity of this nation doth, under God, wholly depend."

They knew that a doubtful title of succession would but too much resemble an election; and that an election would be utterly destructive of the "unity, peace, and tranquillity of this nation," which they thought to be considerations of some moment. To provide for these objects, and therefore to exclude for ever the Old Jewry doctrine of "a right to choose our own governors," they follow with a clause containing a most solemn pledge, taken from the preceding act of Queen Elizabeth, as solemn a pledge as ever was or can be given in favour of an hereditary succession, and as solemn a renunciation as could be made of the principles by this Society imputed to them. "The Lords spiritual and temporal, and Commons, do, in the name of all the people aforesaid, most humbly and faithfully submit *themselves, their heirs and posterities for ever;* and do faithfully promise that they will stand to, maintain, and defend their said Majesties,

[1] 1st Mary, sess. 3, ch. 1.

and also the *limitation of the crown*, herein specified and contained, to the utmost of their powers," &c. &c.

So far is it from being true, that we acquired a right by the Revolution to elect our kings, that if we had possessed it before, the English nation did at that time most solemnly renounce and abdicate it, for themselves, and for all their posterity for ever. These gentlemen may value themselves as much as they please on their Whig principles; but I never desire to be thought a better Whig than Lord Somers; or to understand the principles of the Revolution better than those by whom it was brought about; or to read in the Declaration of Right any mysteries unknown to those whose penetrating style has engraved in our ordinances, and in our hearts, the words and spirit of that immortal law.

It is true, that, aided with the powers derived from force and opportunity, the nation was at that time, in some sense, free to take what course it pleased for filling the throne; but only free to do so upon the same grounds on which they might have wholly abolished their monarchy, and every other part of their constitution. However, they did not think such bold changes within their commission. It is indeed difficult, perhaps impossible, to give limits to the mere *abstract* competence of the supreme power, such as was exercised by parliament at that time; but the limits of a *moral* competence, subjecting, even in powers more indisputably sovereign, occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy, are perfectly intelligible, and perfectly binding upon those who exercise any authority, under any name, or under any title, in the state. The House of Lords, for instance, is not morally competent to dissolve the House of Commons; no, nor even to dissolve itself, nor to abdicate, if it would, its portion in the legislature of the kingdom. Though a king may abdicate for his own person, he cannot abdicate for the monarchy. By as strong, or by a stronger reason, the House of Commons cannot renounce its share of authority. The engagement and pact of society, which generally goes by the name of the constitution, forbids such invasion and such surrender. The constituent parts of a state are obliged to hold their public faith with each other, and with all those who derive any serious interest under their engagements, as

much as the whole state is bound to keep its faith with separate communities. Otherwise competence and power would soon be confounded, and no law be left but the will of a prevailing force. On this principle the succession of the crown has always been what it now is, an hereditary succession by law: in the old line it was a succession by the common law; in the new by the statute law, operating on the principles of the common law, not changing the substance, but regulating the mode, and describing the persons. Both these descriptions of law are of the same force, and are derived from an equal authority, emanating from the common agreement and original compact of the state, *communi sponsione reipublicæ*, and as such are equally binding on king and people too, as long as the terms are observed, and they continue the same body politic.

It is far from impossible to reconcile, if we do not suffer ourselves to be entangled in the mazes of metaphysic sophistry, the use both of a fixed rule and an occasional deviation; the sacredness of an hereditary principle of succession in our government, with a power of change in its application in cases of extreme emergency. Even in that extremity, (if we take the measure of our rights by our exercise of them at the Revolution,) the change is to be confined to the peccant part only; to the part which produced the necessary deviation; and even then it is to be effected without a decomposition of the whole civil and political mass, for the purpose of originating a new civil order out of the first elements of society.

A state without the means of some change is without the means of its conservation. Without such means it might even risk the loss of that part of the constitution which it wished the most religiously to preserve. The two principles of conservation and correction operated strongly at the two critical periods of the Restoration and Revolution, when England found itself without a king. At both those periods the nation had lost the bond of union in their ancient edifice; they did not, however, dissolve the whole fabric. On the contrary, in both cases they regenerated the deficient part of the old constitution through the parts which were not impaired. They kept these old parts exactly as they were, that the part recovered might be suited to them. They acted

by the ancient organized states in the shape of their old organization, and not by the organic *moleculæ* of a disbanded people. At no time, perhaps, did the sovereign legislature manifest a more tender regard to that fundamental principle of British constitutional policy, than at the time of the Revolution, when it deviated from the direct line of hereditary succession. The crown was carried somewhat out of the line in which it had before moved; but the new line was derived from the same stock. It was still a line of hereditary descent; still an hereditary descent in the same blood, though an hereditary descent qualified with Protestantism. When the legislature altered the direction, but kept the principle, they showed that they held it inviolable.

On this principle, the law of inheritance had admitted some amendment in the old time, and long before the era of the Revolution. Some time after the conquest great questions arose upon the legal principles of hereditary descent. It became a matter of doubt, whether the heir *per capita* or the heir *per stripes* was to succeed; but whether the heir *per capita* gave way when the heirdom *per stripes* took place, or the Catholic heir when the Protestant was preferred, the inheritable principle survived with a sort of immortality through all transmigrations—*multosque per annos stat fortuna domus, et avi numerantur avorum.* This is the spirit of our constitution, not only in its settled course, but in all its revolutions. Whoever came in, or however he came in, whether he obtained the crown by law, or by force, the hereditary succession was either continued or adopted.

The gentlemen of the Society for Revolutions see nothing in that of 1688 but the deviation from the constitution; and they take the deviation from the principle for the principle. They have little regard to the obvious consequences of their doctrine, though they must see, that it leaves positive authority in very few of the positive institutions of this country. When such an unwarrantable maxim is once established, that no throne is lawful but the elective, no one act of the princes who preceded this era of fictitious election can be valid. Do these theorists mean to imitate some of their predecessors, who dragged the bodies of our ancient sovereigns out of the quiet of their tombs? Do they mean to attaint and disable backwards all the kings that have reigned before

the Revolution, and consequently to stain the throne of England with the blot of a continual usurpation? Do they mean to invalidate, annul, or to call into question, together with the titles of the whole line of our kings, that great body of our statute law which passed under those whom they treat as usurpers? to annul laws of inestimable value to our liberties—of as great value at least as any which have passed at or since the period of the Revolution? If kings, who did not owe their crown to the choice of their people, had no title to make laws, what will become of the statute *de tallagio non concedendo?*—of the *petition of right?*—of the act of *habeas corpus?* Do these new doctors of the rights of men presume to assert, that King James the Second, who came to the crown as next of blood, according to the rules of a then unqualified succession, was not to all intents and purposes a lawful king of England, before he had done any of those acts which were justly construed into an abdication of his crown? If he was not, much trouble in parliament might have been saved at the period these gentlemen commemorate. But King James was a bad king with a good title, and not an usurper. The princes who succeeded according to the act of parliament which settled the crown on the Electress Sophia and on her descendants, being Protestants, came in as much by a title of inheritance as King James did. He came in according to the law, as it stood at his accession to the crown; and the princes of the House of Brunswick came to the inheritance of the crown, not by election, but by the law, as it stood at their several accessions of Protestant descent and inheritance, as I hope I have shown sufficiently.

The law, by which this royal family is specifically destined to the succession, is the act of the 12th and 13th of King William. The terms of this act bind "us and our *heirs*, and our *posterity*, to them, their *heirs*, and their *posterity*," being Protestants, to the end of time, in the same words as the Declaration of Right had bound us to the heirs of King William and Queen Mary. It therefore secures both an hereditary crown and an hereditary allegiance. On what ground, except the constitutional policy of forming an establishment to secure that kind of succession which is to preclude a choice of the people for ever, could the legislature have fastidiously rejected the fair and abundant choice which

our country presented to them, and searched in strange lands for a foreign princess, from whose womb the line of our future rulers were to derive their title to govern millions of men through a series of ages?

The Princess Sophia was named in the act of settlement of the 12th and 13th of King William, for a *stock* and root of *inheritance* to our kings, and not for her merits as a temporary administratrix of a power, which she might not, and in fact did not, herself ever exercise. She was adopted for one reason, and for one only, because, says the act, "the most excellent Princess Sophia, Electress and Duchess Dowager of Hanover, is *daughter* of the most excellent Princess Elizabeth, late Queen of Bohemia, *daughter* of our late *sovereign lord* King James the First, of happy memory, and is hereby declared to be the next in *succession* in the Protestant line," &c. &c.; "and the crown shall continue to the *heirs* of her body, being Protestants." This limitation was made by parliament, that through the Princess Sophia an inheritable line not only was to be continued in future, but (what they thought very material) that through her it was to be connected with the old stock of inheritance in King James the First; in order that the monarchy might preserve an unbroken unity through all ages, and might be preserved (with safety to our religion) in the old approved mode by descent, in which, if our liberties had been once endangered, they had often, through all storms and struggles of prerogative and privilege, been preserved. They did well. No experience has taught us, that in any other course or method than that of an *hereditary crown* our liberties can be regularly perpetuated and preserved sacred as our *hereditary right*. An irregular, convulsive movement may be necessary to throw off an irregular, convulsive disease. But the course of succession is the healthy habit of the British constitution. Was it that the legislature wanted, at the act for the limitation of the crown in the Hanoverian line, drawn through the female descendants of James the First, a due sense of the inconveniences of having two or three, or possibly more, foreigners in succession to the British throne? No!—they had a due sense of the evils which might happen from such foreign rule, and more than a due sense of them. But a more decisive proof cannot be given of the full conviction of the

British nation, that the principles of the Revolution did not authorize them to elect kings at their pleasure, and without any attention to the ancient fundamental principles of our government, than their continuing to adopt a plan of hereditary Protestant succession in the old line, with all the dangers and all the inconveniences of its being a foreign line full before their eyes, and operating with the utmost force upon their minds.

A few years ago I should be ashamed to overload a matter, so capable of supporting itself, by the then unnecessary support of any argument; but this seditious, unconstitutional doctrine is now publicly taught, avowed, and printed. The dislike I feel to revolutions, the signals for which have so often been given from pulpits; the spirit of change that is gone abroad; the total contempt which prevails with you, and may come to prevail with us, of all ancient institutions, when set in opposition to a present sense of convenience, or to the bent of a present inclination: all these considerations make it not unadvisable, in my opinion, to call back our attention to the true principles of our own domestic laws; that you, my French friend, should begin to know, and that we should continue to cherish them. We ought not, on either side of the water, to suffer ourselves to be imposed upon by the counterfeit wares which some persons, by a double fraud, export to you in illicit bottoms, as raw commodities of British growth, though wholly alien to our soil, in order afterwards to smuggle them back again into this country, manufactured after the newest Paris fashion of an improved liberty.

The people of England will not ape the fashions they have never tried, nor go back to those which they have found mischievous on trial. They look upon the legal hereditary succession of their crown as among their rights, not as among their wrongs; as a benefit, not as a grievance; as a security for their liberty, not as a badge of servitude. They look on the frame of their commonwealth, *such as it stands*, to be of inestimable value; and they conceive the undisturbed succession of the crown to be a pledge of the stability and perpetuity of all the other members of our constitution.

I shall beg leave, before I go any further, to take notice of some paltry artifices, which the abettors of election, as the

only lawful title to the crown, are ready to employ, in order to render the support of the just principles of our constitution a task somewhat invidious. These sophisters substitute a fictitious cause, and feigned personages, in whose favour they suppose you engaged, whenever you defend the inheritable nature of the crown. It is common with them to dispute as if they were in a conflict with some of those exploded fanatics of slavery, who formerly maintained, what I believe no creature now maintains, "that the crown is held by divine hereditary and indefeasible right."—These old fanatics of single arbitrary power dogmatized as if hereditary royalty was the only lawful government in the world, just as our new fanatics of popular arbitrary power maintain that a popular election is the sole lawful source of authority. The old prerogative enthusiasts, it is true, did speculate foolishly, and perhaps impiously too, as if monarchy had more of a divine sanction than any other mode of government; and as if a right to govern by inheritance were in strictness *indefeasible* in every person, who should be found in the succession to a throne, and under every circumstance, which no civil or political right can be. But an absurd opinion concerning the king's hereditary right to the crown does not prejudice one that is rational, and bottomed upon solid principles of law and policy. If all the absurd theories of lawyers and divines were to vitiate the objects in which they are conversant, we should have no law and no religion left in the world. But an absurd theory on one side of a question forms no justification for alleging a false fact, or promulgating mischievous maxims, on the other.

The second claim of the Revolution Society is "a right of cashiering their governors for *misconduct*." Perhaps the apprehensions our ancestors entertained of forming such a precedent as that "of cashiering for misconduct," was the cause that the declaration of the act, which implied the abdication of King James, was, if it had any fault, rather too guarded, and too circumstantial.[1] But all this guard, and

[1] "That King James the Second, having endeavoured to *subvert the constitution* of the kingdom by breaking the *original contract* between king and people, and, by the advice of Jesuits, and other wicked persons, having violated the *fundamental* laws, and *having withdrawn himself out of the kingdom*, hath *abdicated* the government, and the throne is thereby *vacant*."

all this accumulation of circumstances, serves to show the spirit of caution which predominated in the national councils in a situation in which men irritated by oppression, and elevated by a triumph over it, are apt to abandon themselves to violent and extreme courses: it shows the anxiety of the great men who influenced the conduct of affairs at that great event to make the Revolution a parent of settlement, and not a nursery of future revolutions.

No government could stand a moment, if it could be blown down with anything so loose and indefinite as an opinion of "*misconduct*." They who led at the Revolution grounded the virtual abdication of King James upon no such light and uncertain principle. They charged him with nothing less than a design, confirmed by a multitude of illegal overt acts, to *subvert the Protestant church and state*, and their *fundamental*, unquestionable laws and liberties: they charged him with having broken the *original contract* between king and people. This was more than *misconduct*. A grave and overruling necessity obliged them to take the step they took, and took with infinite reluctance, as under that most rigorous of all laws. Their trust for the future preservation of the constitution was not in future revolutions. The grand policy of all their regulations was to render it almost impracticable for any future sovereign to compel the states of the kingdom to have again recourse to those violent remedies. They left the crown what, in the eye and estimation of law, it had ever been, perfectly irresponsible. In order to lighten the crown still further, they aggravated responsibility on ministers of state. By the statute of the 1st of King William, sess. 2nd, called "*the act for declaring the rights and liberties of the subject, and for settling the succession to the crown*," they enacted, that the ministers should serve the crown on the terms of that declaration. They secured soon after the *frequent meetings of parliament*, by which the whole government would be under the constant inspection and active control of the popular representative and of the magnates of the kingdom. In the next great constitutional act, that of the 12th and 13th of King William, for the further limitation of the crown, and *better* securing the rights and liberties of the subject, they provided, "that no pardon under the great seal of England should be pleadable to an impeachment by the

Commons in parliament." The rule laid down for government in the Declaration of Right, the constant inspection of parliament, the practical claim of impeachment, they thought infinitely a better security not only for their constitutional liberty, but against the vices of administration, than the reservation of a right so difficult in the practice, so uncertain in the issue, and often so mischievous in the consequences, as that of "cashiering their governors."

Dr. Price, in his sermon,[1] condemns very properly the practice of gross, adulatory addresses to kings. Instead of this fulsome style, he proposes that his Majesty should be told, on occasions of congratulation, that "he is to consider himself as more properly the servant than the sovereign of his people." For a compliment, this new form of address does not seem to be very soothing. Those who are servants in name, as well as in effect, do not like to be told of their situation, their duty, and their obligations. The slave, in the old play, tells his master, "*Hæc commemoratio est quasi exprobatio.*" It is not pleasant as compliment; it is not wholesome as instruction. After all, if the king were to bring himself to echo this new kind of address, to adopt it in terms, and even to take the appellation of Servant of the People as his royal style, how either he or we should be much mended by it, I cannot imagine. I have seen very assuming letters, signed, Your most obedient, humble servant. The proudest denomination that ever was endured on earth took a title of still greater humility than that which is now proposed for sovereigns by the Apostle of Liberty. Kings and nations were trampled upon by the foot of one calling himself "the Servant of Servants;" and mandates for deposing sovereigns were sealed with the signet of "the Fisherman."

I should have considered all this as no more than a sort of flippant, vain discourse, in which, as in an unsavoury fume, several persons suffer the spirit of liberty to evaporate, if it were not plainly in support of the idea, and a part of the scheme, of "cashiering kings for misconduct." In that light it is worth some observation.

Kings, in one sense, are undoubtedly the servants of the people, because their power has no other rational end than

[1] P. 22—24.

that of the general advantage; but it is not true that they are, in the ordinary sense, (by our constitution at least,) anything like servants; the essence of whose situation is to obey the commands of some other, and to be removable at pleasure. But the king of Great Britain obeys no other person; all other persons are individually, and collectively too, under him, and owe to him a legal obedience. The law, which knows neither to flatter nor to insult, calls this high magistrate, not our servant, as this humble divine calls him, but "*our sovereign Lord the king;*" and we, on our parts, have learned to speak only the primitive language of the law, and not the confused jargon of their Babylonian pulpits.

As he is not to obey us, but as we are to obey the law in him, our constitution has made no sort of provision towards rendering him, as a servant, in any degree responsible. Our constitution knows nothing of a magistrate like the *Justicia* of Arragon; nor of any court legally appointed, nor of any process legally settled, for submitting the king to the responsibility belonging to all servants. In this he is not distinguished from the Commons and the Lords; who, in their several public capacities, can never be called to an account for their conduct; although the Revolution Society chooses to assert, in direct opposition to one of the wisest and most beautiful parts of our constitution, that "a king is no more than the first servant of the public, created by it, *and responsible to it.*"

Ill would our ancestors at the Revolution have deserved their fame for wisdom, if they had found no security for their freedom, but in rendering their government feeble in its operations and precarious in its tenure; if they had been able to contrive no better remedy against arbitrary power than civil confusion. Let these gentlemen state who that *representative* public is to whom they will affirm the king, as a servant, to be responsible. It will be then time enough for me to produce to them the positive statute law which affirms that he is not.

The ceremony of cashiering kings, of which these gentlemen talk so much at their ease, can rarely, if ever, be performed without force. It then becomes a case of war, and not of constitution. Laws are commanded to hold their

tongues amongst arms; and tribunals fall to the ground with the peace they are no longer able to uphold. The Revolution of 1688 was obtained by a just war, in the only case in which any war, and much more a civil war, can be just. "Justa bella quibus *necessaria*." The question of dethroning, or, if these gentlemen like the phrase better, "cashiering kings," will always be, as it has always been, an extraordinary question of state, and wholly out of the law; a question (like all other questions of state) of dispositions, and of means, and of probable consequences, rather than of positive rights. As it was not made for common abuses, so it is not to be agitated by common minds. The speculative line of demarcation, where obedience ought to end, and resistance must begin, is faint, obscure, and not easily definable. It is not a single act, or a single event, which determines it. Governments must be abused and deranged indeed, before it can be thought of; and the prospect of the future must be as bad as the experience of the past. When things are in that lamentable condition, the nature of the disease is to indicate the remedy to those whom nature has qualified to administer in extremities this critical, ambiguous, bitter potion to a distempered state. Times, and occasions, and provocations, will teach their own lessons. The wise will determine from the gravity of the case; the irritable, from sensibility to oppression; the high-minded, from disdain and indignation at abusive power in unworthy hands; the brave and bold, from the love of honourable danger in a generous cause: but, with or without right, a revolution will be the very last resource of the thinking and the good.

The third head of right, asserted by the pulpit of the Old Jewry, namely, the "right to form a government for ourselves," has, at least, as little countenance from anything done at the Revolution, either in precedent or principle, as the two first of their claims. The Revolution was made to preserve our *ancient*, indisputable laws and liberties, and that *ancient* constitution of government which is our only security for law and liberty. If you are desirous of knowing the spirit of our constitution, and the policy which predominated in that great period which has secured it to this hour, pray look for both in our histories, in our records, in our acts of parliament, and journals of parliament, and not in the ser-

tions of the Old Jewry, and the after-dinner toasts of the Revolution Society. In the former you will find other ideas and another language. Such a claim is as ill-suited to our temper and wishes as it is unsupported by any appearance of authority. The very idea of the fabrication of a new government is enough to fill us with disgust and horror. We wished at the period of the Revolution, and do now wish, to derive all we possess as *an inheritance from our forefathers.* Upon that body and stock of inheritance we have taken care not to inoculate any scion alien to the nature of the original plant. All the reformations we have hitherto made have proceeded upon the principle of reverence to antiquity; and I hope, nay I am persuaded, that all those which possibly may be made hereafter, will be carefully formed upon analogical precedent, authority, and example.

Our oldest reformation is that of Magna Charta. You will see that Sir Edward Coke, that great oracle of our law, and indeed all the great men who follow him, to Blackstone,[1] are industrious to prove the pedigree of our liberties. They endeavour to prove, that the ancient charter, the Magna Charta of King John, was connected with another positive charter from Henry I., and that both the one and the other were nothing more than a re-affirmance of the still more ancient standing law of the kingdom. In the matter of fact, for the greater part, these authors appear to be in the right; perhaps not always; but if the lawyers mistake in some particulars, it proves my position still the more strongly; because it demonstrates the powerful prepossession towards antiquity, with which the minds of all our lawyers and legislators, and of all the people whom they wish to influence, have been always filled; and the stationary policy of this kingdom in considering their most sacred rights and franchises as an *inheritance.*

In the famous law of the 3rd of Charles I., called the *Petition of Right,* the parliament says to the king, "Your subjects have *inherited* this freedom," claiming their franchises not on abstract principles "as the rights of men," but as the rights of Englishmen, and as a patrimony derived from their forefathers. Selden, and the other profoundly learned men, who drew this Petition of Right, were as well

[1] See Blackstone's Magna Charta, printed at Oxford, 1759.

acquainted, at least, with all the general theories concerning the "rights of men," as any of the discoursers in our pulpits, or on your tribune; full as well as Dr. Price, or as the Abbé Sieyes. But, for reasons worthy of that practical wisdom which superseded their theoretic science, they preferred this positive, recorded, *hereditary* title to all which can be dear to the man and the citizen, to that vague speculative right, which exposed their sure inheritance to be scrambled for and torn to pieces by every wild, litigious spirit.

The same policy pervades all the laws which have since been made for the preservation of our liberties. In the 1st of William and Mary, in the famous statute, called the Declaration of Right, the two Houses utter not a syllable of "a right to frame a government for themselves." You will see, that their whole care was to secure the religion, laws, and liberties, that had been long possessed, and had been lately endangered. "Taking[1] into their most serious consideration the *best* means for making such an establishment, that their religion, laws, and liberties might not be in danger of being again subverted," they auspicate all their proceedings, by stating as some of those *best* means, "in the *first place*" to do "as their *ancestors in like cases have usually* done for vindicating their *ancient* rights and liberties, to *declare;*"—and then they pray the king and queen, "that it may be *declared* and enacted, that *all and singular* the rights and liberties *asserted and declared*, are the true *ancient* and indubitable rights and liberties of the people of this kingdom."

You will observe, that from Magna Charta to the Declaration of Right, it has been the uniform policy of our constitution to claim and assert our liberties, as an *entailed inheritance* derived to us from our forefathers, and to be transmitted to our posterity; as an estate specially belonging to the people of this kingdom, without any reference whatever to any other more general or prior right. By this means our constitution preserves a unity in so great a diversity of its parts. We have an inheritable crown; an inheritable peerage; and a House of Commons and a people inheriting privileges, franchises, and liberties, from a long line of ancestors.

[1] 1 W. and M.

This policy appears to me to be the result of profound reflection; or rather the happy effect of following nature, which is wisdom without reflection, and above it. A spirit of innovation is generally the result of a selfish temper, and confined views. People will not look forward to posterity, who never look backward to their ancestors. Besides, the people of England well know, that the idea of inheritance furnishes a sure principle of conservation, and a sure principle of transmission; without at all excluding a principle of improvement. It leaves acquisition free; but it secures what it acquires. Whatever advantages are obtained by a state proceeding on these maxims, are locked fast as in a sort of family settlement; grasped as in a kind of mortmain for ever. By a constitutional policy, working after the pattern of nature, we receive, we hold, we transmit our government and our privileges, in the same manner in which we enjoy and transmit our property and our lives. The institutions of policy, the goods of fortune, the gifts of providence, are handed down to us, and from us, in the same course and order. Our political system is placed in a just correspondence and symmetry with the order of the world, and with the mode of existence decreed to a permanent body composed of transitory parts; wherein, by the disposition of a stupendous wisdom, moulding together the great mysterious incorporation of the human race, the whole, at one time, is never old, or middle-aged, or young, but, in a condition of unchangeable constancy, moves on through the varied tenor of perpetual decay, fall, renovation, and progression. Thus, by preserving the method of nature in the conduct of the state, in what we improve, we are never wholly new; in what we retain, we are never wholly obsolete. By adhering in this manner and on those principles to our forefathers, we are guided not by the superstition of antiquarians, but by the spirit of philosophic analogy. In this choice of inheritance we have given to our frame of polity the image of a relation in blood; binding up the constitution of our country with our dearest domestic ties; adopting our fundamental laws into the bosom of our family affections; keeping inseparable, and cherishing with the warmth of all their combined and mutually reflected charities, our state, our hearths, our sepulchres, and our altars.

Through the same plan of a conformity to nature in our

artificial institutions, and by calling in the aid of her unerring and powerful instincts, to fortify the fallible and feeble contrivances of our reason, we have derived several other, and those no small benefits, from considering our liberties in the light of an inheritance. Always acting as if in the presence of canonized forefathers, the spirit of freedom, leading in itself to misrule and excess, is tempered with an awful gravity. This idea of a liberal descent inspires us with a sense of habitual native dignity, which prevents that upstart insolence almost inevitably adhering to and disgracing those who are the first acquirers of any distinction. By this means our liberty becomes a noble freedom. It carries an imposing and majestic aspect. It has a pedigree and illustrating ancestors. It has its bearings and its ensigns armorial. It has its gallery of portraits; its monumental inscriptions; its records, evidences, and titles. We procure reverence to our civil institutions on the principle upon which nature teaches us to revere individual men; on account of their age, and on account of those from whom they are descended. All your sophisters cannot produce anything better adapted to preserve a rational and manly freedom than the course that we have pursued, who have chosen our nature rather than our speculations, our breasts rather than our inventions, for the great conservatories and magazines of our rights and privileges.

You might, if you pleased, have profited of our example, and have given to your recovered freedom a correspondent dignity. Your privileges, though discontinued, were not lost to memory. Your constitution, it is true, whilst you were out of possession, suffered waste and dilapidation; but you possessed in some parts the walls, and, in all, the foundations, of a noble and venerable castle. You might have repaired those walls; you might have built on those old foundations. Your constitution was suspended before it was perfected; but you had the elements of a constitution very nearly as good as could be wished. In your old states you possessed that variety of parts corresponding with the various descriptions of which your community was happily composed; you had all that combination, and all that opposition of interests, you had that action and counteraction, which, in the natural and in the political world, from the reciprocal struggle of

discordant powers, draws out the harmony of the universe. These opposed and conflicting interests, which you considered as so great a blemish in your old and in our present constitution, interpose a salutary check to all precipitate resolutions. They render deliberation a matter not of choice, but of necessity; they make all change a subject of *compromise*, which naturally begets moderation; they produce *temperaments* preventing the sore evil of harsh, crude, unqualified reformations; and rendering all the headlong exertions of arbitrary power, in the few or in the many, for ever impracticable. Through that diversity of members and interests, general liberty had as many securities as there were separate views in the several orders; whilst by pressing down the whole by the weight of a real monarchy, the separate parts would have been prevented from warping, and starting from their allotted places.

You had all these advantages in your ancient states; but you chose to act as if you had never been moulded into civil society, and had everything to begin anew. You began ill, because you began by despising everything that belonged to you. You set up your trade without a capital. If the last generations of your country appeared without much lustre in your eyes, you might have passed them by, and derived your claims from a more early race of ancestors. Under a pious predilection for those ancestors, your imaginations would have realized in them a standard of virtue and wisdom, beyond the vulgar practice of the hour: and you would have risen with the example to whose imitation you aspired. Respecting your forefathers, you would have been taught to respect yourselves. You would not have chosen to consider the French as a people of yesterday, as a nation of low-born servile wretches until the emancipating year of 1789. In order to furnish, at the expense of your honour, an excuse to your apologists here for several enormities of yours, you would not have been content to be represented as a gang of Maroon slaves, suddenly broke loose from the house of bondage, and therefore to be pardoned for your abuse of the liberty to which you were not accustomed, and ill fitted. Would it not, my worthy friend, have been wiser to have you thought, what I, for one, always thought you, a generous and

gallant nation, long misled to your disadvantage by your high and romantic sentiments of fidelity, honour, and loyalty; that events had been unfavourable to you, but that you were not enslaved through any illiberal or servile disposition; that in your most devoted submission, you were actuated by a principle of public spirit, and that it was your country you worshipped, in the person of your king? Had you made it to be understood, that in the delusion of this amiable error you had gone further than your wise ancestors; that you were resolved to resume your ancient privileges, whilst you preserved the spirit of your ancient and your recent loyalty and honour; or if, diffident of yourselves, and not clearly discerning the almost obliterated constitution of your ancestors, you had looked to your neighbours in this land, who had kept alive the ancient principles and models of the old common law of Europe meliorated and adapted to its present state—by following wise examples you would have given new examples of wisdom to the world. You would have rendered the cause of liberty venerable in the eyes of every worthy mind in every nation. You would have shamed despotism from the earth, by showing that freedom was not only reconcilable, but, as when well disciplined it is, auxiliary to law. You would have had an unoppressive but a productive revenue. You would have had a flourishing commerce to feed it. You would have had a free constitution; a potent monarchy; a disciplined army; a reformed and venerated clergy; a mitigated but spirited nobility, to lead your virtue, not to overlay it; you would have had a liberal order of commons, to emulate and to recruit that nobility; you would have had a protected, satisfied, laborious, and obedient people, taught to seek and to recognise the happiness that is to be found by virtue in all conditions; in which consists the true moral equality of mankind, and not in that monstrous fiction, which, by inspiring false ideas and vain expectations into men destined to travel in the obscure walk of laborious life, serves only to aggravate and embitter that real inequality, which it never can remove; and which the order of civil life establishes as much for the benefit of those whom it must leave in an humble state, as those whom it is able to exalt to a condition more splendid, but not more happy. You had a

smooth and easy career of felicity and glory laid open to you, beyond anything recorded in the history of the world; but you have shown that difficulty is good for man.

Compute your gains: see what is got by those extravagant and presumptuous speculations which have taught your leaders to despise all their predecessors, and all their contemporaries, and even to despise themselves, until the moment in which they became truly despicable. By following those false lights, France has bought undisguised calamities at a higher price than any nation has purchased the most unequivocal blessings! France has bought poverty by crime! France has not sacrificed her virtue to her interest, but she has abandoned her interest, that she might prostitute her virtue. All other nations have begun the fabric of a new government, or the reformation of an old, by establishing originally, or by enforcing with greater exactness, some rites or other of religion. All other people have laid the foundations of civil freedom in severer manners, and a system of a more austere and masculine morality. France, when she let loose the reins of regal authority, doubled the licence of a ferocious dissoluteness in manners, and of an insolent irreligion in opinions and practices; and has extended through all ranks of life, as if she were communicating some privilege, or laying open some secluded benefit, all the unhappy corruptions that usually were the disease of wealth and power. This is one of the new principles of equality in France.

France, by the perfidy of her leaders, has utterly disgraced the tone of lenient council in the cabinets of princes, and disarmed it of its most potent topics. She has sanctified the dark, suspicious maxims of tyrannous distrust; and taught kings to tremble at (what will hereafter be called) the delusive plausibilities of moral politicians. Sovereigns will consider those, who advise them to place an unlimited confidence in their people, as subverters of their thrones; as traitors who aim at their destruction, by leading their easy good-nature, under specious pretences, to admit combinations of bold and faithless men into a participation of their power. This alone (if there were nothing else) is an irreparable calamity to you and to mankind. Remember that your parliament of Paris told your king, that, in calling the states together, he had nothing to fear but the prodigal excess of

their zeal in providing for the support of the throne. It .. right that these men should hide their heads. It is right that they should bear their part in the ruin which their counsel has brought on their sovereign and their country. Such sanguine declarations tend to lull authority asleep; to encourage it rashly to engage in perilous adventures of untried policy; to neglect those provisions, preparations, and precautions, which distinguish benevolence from imbecility; and without which no man can answer for the salutary effect of any abstract plan of government or of freedom. For want of these, they have seen the medicine of the state corrupted into its poison. They have seen the French rebel against a mild and lawful monarch, with more fury, outrage, and insult, than ever any people has been known to rise against the most illegal usurper, or the most sanguinary tyrant. Their resistance was made to concession; their revolt was from protection; their blow was aimed at a hand holding out graces, favours, and immunities.

This was unnatural. The rest is in order. They have found their punishment in their success. Laws overturned; tribunals subverted; industry without vigour; commerce expiring; the revenue unpaid, yet the people impoverished; a church pillaged, and a state not relieved; civil and military anarchy made the constitution of the kingdom; everything human and divine sacrificed to the idol of public credit, and national bankruptcy the consequence; and, to crown all, the paper securities of new, precarious, tottering power, the discredited paper securities of impoverished fraud and beggared rapine, held out as a currency for the support of an empire, in lieu of the two great recognised species that represent the lasting, conventional credit of mankind, which disappeared and hid themselves in the earth from whence they came, when the principle of property, whose creatures and representatives they are, was systematically subverted.

Were all these dreadful things necessary? Were they the inevitable results of the desperate struggle of determined patriots, compelled to wade through blood and tumult, to the quiet shore of a tranquil and prosperous liberty? No! nothing like it. The fresh ruins of France, which shock our feelings wherever we can turn our eyes, are not the devastation of civil war; they are the sad but instructive monuments

of rash and ignorant counsel in time of profound peace. They are the display of inconsiderate and presumptuous, because unresisted and irresistible, authority. The persons who have thus squandered away the precious treasure of their crimes, the persons who have made this prodigal and wild waste of public evils, (the last stake reserved for the ultimate ransom of the state,) have met in their progress with little, or rather with no opposition at all. Their whole march was more like a triumphal procession, than the progress of a war. Their pioneers have gone before them, and demolished and laid everything level at their feet. Not one drop of *their* blood have they shed in the cause of the country they have ruined. They have made no sacrifices to their projects of greater consequence than their shoe-buckles, whilst they were imprisoning their king, murdering their fellow-citizens, and bathing in tears, and plunging in poverty and distress, thousands of worthy men and worthy families. Their cruelty has not even been the base result of fear. It has been the effect of their sense of perfect safety, in authorizing treasons, robberies, rapes, assassinations, slaughters, and burnings, throughout their harassed land. But the cause of all was plain from the beginning.

This unforced choice, this fond election of evil, would appear perfectly unaccountable, if we did not consider the composition of the National Assembly: I do not mean its formal constitution, which, as it now stands, is exceptionable enough, but the materials of which, in a great measure, it is composed, which is of ten thousand times greater consequence than all the formalities in the world. If we were to know nothing of this assembly but by its title and function, no colours could paint to the imagination anything more venerable. In that light the mind of an inquirer, subdued by such an awful image as that of the virtue and wisdom of a whole people collected into a focus, would pause and hesitate in condemning things even of the very worst aspect. Instead of blameable, they would appear only mysterious. But no name, no power, no function, no artificial institution whatsoever, can make the men of whom any system of authority is composed, any other than God, and nature, and education, and their habits of life have made them. Capacities beyond these the people have not to give. Virtue

and wisdom may be the objects of their choice; but their choice confers neither the one nor the other on those upon whom they lay their ordaining hands. They have not the engagement of nature, they have not the promise of revelation, for any such powers.

After I had read over the list of the persons and descriptions elected into the *Tiers Etat*, nothing which they afterwards did could appear astonishing. Among them, indeed, I saw some of known rank; some of shining talents; but of any practical experience in the state, not one man was to be found. The best were only men of theory. But whatever the distinguished few may have been, it is the substance and mass of the body which constitutes its character, and must finally determine its direction. In all bodies, those who will lead, must also, in a considerable degree, follow. They must conform their propositions to the taste, talent, and disposition, of those whom they wish to conduct: therefore, if an assembly is viciously or feebly composed in a very great part of it, nothing but such a supreme degree of virtue as very rarely appears in the world, and for that reason cannot enter into calculation, will prevent the men of talent disseminated through it from becoming only the expert instruments of absurd projects! If, what is the more likely event, instead of that unusual degree of virtue, they should be actuated by sinister ambition, and a lust of meretricious glory, then the feeble part of the assembly, to whom at first they conform, becomes in its turn the dupe and instrument of their designs. In this political traffic, the leaders will be obliged to bow to the ignorance of their followers, and the followers to become subservient to the worst designs of their leaders.

To secure any degree of sobriety in the propositions made by the leaders in any public assembly, they ought to respect, in some degree perhaps to fear, those whom they conduct. To be led any otherwise than blindly, the followers must be qualified, if not for actors, at least for judges; they must also be judges of natural weight and authority. Nothing can secure a steady and moderate conduct in such assemblies, but that the body of them should be respectably composed, in point of condition in life, of permanent property, of education, and of such habits as enlarge and liberalize the understanding.

In the calling of the states-general of France, the first thing that struck me, was a great departure from the ancient course. I found the representation for the third estate composed of six hundred persons. They were equal in number to the representatives of both the other orders. If the orders were to act separately, the number would not, beyond the consideration of the expense, be of much moment. But when it became apparent that the three orders were to be melted down into one, the policy and necessary effect of this numerous representation became obvious. A very small desertion from either of the other two orders must throw the power of both into the hands of the third. In fact, the whole power of the state was soon resolved into that body. Its due composition became therefore of infinitely the greater importance.

Judge, Sir, of my surprise, when I found that a very great proportion of the assembly (a majority, I believe, of the members who attended) was composed of practitioners in the law. It was composed, not of distinguished magistrates, who had given pledges to their country of their science, prudence, and integrity; not of leading advocates, the glory of the bar; not of renowned professors in universities;—but for the far greater part, as it must in such a number, of the inferior, unlearned, mechanical, merely instrumental members of the profession. There were distinguished exceptions; but the general composition was of obscure provincial advocates, of stewards of petty local jurisdictions, country attornies, notaries, and the whole train of the ministers of municipal litigation, the fomenters and conductors of the petty war of village vexation. From the moment I read the list, I saw distinctly, and very nearly as it has happened, all that was to follow.

The degree of estimation in which any profession is held becomes the standard of the estimation in which the professors hold themselves. Whatever the personal merits of many individual lawyers might have been, and in many it was undoubtedly very considerable, in that military kingdom no part of the profession had been much regarded, except the highest of all, who often united to their professional offices great family splendour, and were invested with great power and authority. These certainly were highly respected, and even with no small degree of awe. The next rank was not

much esteemed; the mechanical part was in a very low degree of repute.

Whenever the supreme authority is vested in a body so composed, it must evidently produce the consequences of supreme authority placed in the hands of men not taught habitually to respect themselves; who had no previous fortune in character at stake; who could not be expected to bear with moderation, or to conduct with discretion, a power, which they themselves, more than any others, must be surprised to find in their hands. Who could flatter himself that these men, suddenly, and, as it were, by enchantment, snatched from the humblest rank of subordination, would not be intoxicated with their unprepared greatness? Who could conceive that men, who are habitually meddling, daring, subtle, active, of litigious dispositions and unquiet minds would easily fall back into their old condition of obscure contention, and laborious, low, and unprofitable chicane? Who could doubt but that, at any expense to the state, of which they understood nothing, they must pursue their private interests which they understood but too well? It was not an event depending on chance, or contingency. It was inevitable; it was necessary; it was planted in the nature of things. They must *join* (if their capacity did not permit them to *lead*) in any project which could procure to them a *litigious constitution;* which could lay open to them those innumerable lucrative jobs, which follow in the train of all great convulsions and revolutions in the state, and particularly in all great and violent permutations of property. Was it to be expected that they would attend to the stability of property, whose existence had always depended upon whatever rendered property questionable, ambiguous, and insecure? Their objects would be enlarged with their elevation, but their disposition and habits, and mode of accomplishing their designs, must remain the same.

Well! but these men were to be tempered and restrained by other descriptions, of more sober and more enlarged understandings. Were they then to be awed by the supereminent authority and awful dignity of a handful of country clowns, who have seats in that assembly, some of whom are said not to be able to read and write? and by not a greater number of traders, who, though somewhat more in-

structed, and more conspicuous in the order of society, had never known anything beyond their counting-house. No! both these descriptions were more formed to be overborne and swayed by the intrigues and artifices of lawyers, than to become their counterpoise. With such a dangerous disproportion, the whole must needs be governed by them. To the faculty of law was joined a pretty considerable proportion of the faculty of medicine. This faculty had not, any more than that of the law, possessed in France its just estimation. Its professors, therefore, must have the qualities of men not habituated to sentiments of dignity. But supposing they had ranked as they ought to do, and as with us they do actually, the sides of sick beds are not the academies for forming statesmen and legislators. Then came the dealers in stocks and funds, who must be eager, at any expense, to change their ideal paper wealth for the more solid substance of land. To these were joined men of other descriptions, from whom as little knowledge of, or attention to, the interests of a great state was to be expected, and as little regard to the stability of any institution; men formed to be instruments, not controls. Such in general was the composition of the *Tiers Etat* in the National Assembly; in which was scarcely to be perceived the slightest traces of what we call the natural landed interest of the country.

We know that the British House of Commons, without shutting its doors to any merit in any class, is, by the sure operation of adequate causes, filled with everything illustrious in rank, in descent, in hereditary and in acquired opulence, in cultivated talents, in military, civil, naval, and politic distinction, that the country can afford. But supposing, what hardly can be supposed as a case, that the House of Commons should be composed in the same manner with the *Tiers Etat* in France, would this dominion of chicane be borne with patience, or even conceived without horror? God forbid I should insinuate anything derogatory to that profession, which is another priesthood, administrating the rights of sacred justice. But whilst I revere men in the functions which belong to them, and would do as much as one man can do to prevent their exclusion from any, I cannot, to flatter them, give the lie to nature. They are good and useful in

the composition; they must be mischievous if they preponderate so as virtually to become the whole. Their very excellence in their peculiar functions may be far from a qualification for others. It cannot escape observation, that when men are too much confined to professional and faculty habits, and as it were inveterate in the recurrent employment of that narrow circle, they are rather disabled than qualified for whatever depends on the knowledge of mankind, on experience in mixed affairs, on a comprehensive, connected view of the various, complicated, external and internal interests, which go to the formation of that multifarious thing called a state.

After all, if the House of Commons were to have a wholly professional and faculty composition, what is the power of the House of Commons, circumscribed and shut in by the immoveable barriers of laws, usages, positive rules of doctrine and practice, counterpoised by the House of Lords, and every moment of its existence at the discretion of the crown to continue, prorogue, or dissolve us? The power of the House of Commons, direct or indirect, is indeed great; and long may it be able to preserve its greatness, and the spirit belonging to true greatness, at the full; and it will do so, as long as it can keep the breakers of law in India from becoming the makers of law for England. The power, however, of the House of Commons, when least diminished, is as a drop of water in the ocean, compared to that residing in a settled majority of your National Assembly. That assembly, since the destruction of the orders, has no fundamental law, no strict convention, no respected usage to restrain it. Instead of finding themselves obliged to conform to a fixed constitution, they have a power to make a constitution which shall conform to their designs. Nothing in heaven or upon earth can serve as a control on them. What ought to be the heads, the hearts, the dispositions, that are qualified, or that dare, not only to make laws under a fixed constitution, but at one heat to strike out a totally new constitution for a great kingdom, and in every part of it, from the monarch on the throne to the vestry of a parish? But—"*fools rush in where angels fear to tread*" In such a state of unbounded power for undefined and undefinable purposes,

the evil of a moral and almost physical inaptitude of the man to the function must be the greatest we can conceive to happen in the management of human affairs.

Having considered the composition of the third estate as it stood in its original frame, I took a view of the representatives of the clergy. There too it appeared, that full as little regard was had to the general security of property, or to the aptitude of the deputies for their public purposes, in the principles of their election. That election was so contrived, as to send a very large proportion of mere country curates to the great and arduous work of new-modelling a state; men who never had seen the state so much as in a picture; men who knew nothing of the world beyond the bounds of an obscure village; who, immersed in hopeless poverty, could regard all property, whether secular or ecclesiastical, with no other eye than that of envy; among whom must be many who, for the smallest hope of the meanest dividend in plunder, would readily join in any attempts upon a body of wealth, in which they could hardly look to have any share, except in a general scramble. Instead of balancing the power of the active chicaners in the other assembly, these curates must necessarily become the active coadjutors, or at best the passive instruments, of those by whom they had been habitually guided in their petty village concerns. They too could hardly be the most conscientious of their kind, who presuming upon their incompetent understanding, could intrigue for a trust which led them from their natural relation to their flocks, and their natural spheres of action, to undertake the regeneration of kingdoms. This preponderating weight, being added to the force of the body of chicane in the *Tiers Etat*, completed that momentum of ignorance, rashness, presumption, and lust of plunder, which nothing has been able to resist.

To observing men it must have appeared from the beginning, that the majority of the Third Estate, in conjunction with such a deputation from the clergy as I have described, whilst it pursued the destruction of the nobility, would inevitably become subservient to the worst designs of individuals in that class. In the spoil and humiliation of their own order these individuals would possess a sure fund for the pay of their new followers. To squander away the

objects which made the happiness of their fellows, would be to them no sacrifice at all. Turbulent, discontented men of quality, in proportion as they are puffed up with personal pride and arrogance, generally despise their own order. One of the first symptoms they discover of a selfish and mischievous ambition, is a profligate disregard of a dignity which they partake with others. To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections. It is the first link in the series by which we proceed towards a love to our country, and to mankind. The interest of that portion of social arrangement is a trust in the hands of all those who compose it; and as none but bad men would justify it in abuse, none but traitors would barter it away for their own personal advantage.

There were in the time of our civil troubles in England, (I do not know whether you have any such in your assembly in France,) several persons, like the then Earl of Holland, who by themselves or their families had brought an odium on the throne, by the prodigal dispensation of its bounties towards them, who afterwards joined in the rebellions arising from the discontents of which they were themselves the cause; men who helped to subvert that throne to which they owed, some of them, their existence, others all that power which they employed to ruin their benefactor. If any bounds are set to the rapacious demands of that sort of people, or that others are permitted to partake in the objects they would engross, revenge and envy soon fill up the craving void that is left in their avarice. Confounded by the complication of distempered passions, their reason is disturbed; their views become vast and perplexed; to others inexplicable; to themselves uncertain. They find, on all sides, bounds to their unprincipled ambition in any fixed order of things. But in the fog and haze of confusion all is enlarged, and appears without any limit.

When men of rank sacrifice all ideas of dignity to an ambition without a distinct object, and work with low instruments and for low ends, the whole composition becomes low and base. Does not something like this now appear in France? Does it not produce something ignoble and inglorious? a kind of meanness in all the prevalent policy? a

tendency in all that is done to lower along with individuals all the dignity and importance of the state? Other revolutions have been conducted by persons, who, whilst they attempted or affected changes in the commonwealth, sanctified their ambition by advancing the dignity of the people whose peace they troubled. They had long views. They aimed at the rule, not at the destruction, of their country. They were men of great civil and great military talents, and if the terror, the ornament of their age. They were not like Jew brokers, contending with each other who could best remedy with fraudulent circulation and depreciated paper the wretchedness and ruin brought on their country by their degenerate councils. The compliment made to one of the great bad men of the old stamp (Cromwell) by his kinsman, a favourite poet of that time, shows what it was he proposed, and what indeed to a great degree he accomplished, in the success of his ambition:

> "Still as *you* rise, the *state* exalted too,
> Finds no distemper whilst 'tis changed by *you;*
> Changed like the world's great scene, when without noise
> The rising sun night's *vulgar* lights destroys."

These disturbers were not so much like men usurping power, as asserting their natural place in society. Their rising was to illuminate and beautify the world. Their conquest over their competitors was by outshining them. The hand that, like a destroying angel, smote the country, communicated to it the force and energy under which it suffered. I do not say, (God forbid,) I do not say, that the virtues of such men were to be taken as a balance to their crimes: but they were some corrective to their effects. Such was, as I said, our Cromwell. Such were your whole race of Guises, Condés, and Colignis. Such the Richelieus, who in more quiet times acted in the spirit of a civil war. Such, as better men, and in a less dubious cause, were your Henry the Fourth and your Sully, though nursed in civil confusions, and not wholly without some of their taint. It is a thing to be wondered at, to see how very soon France, when she had a moment to respire, recovered and emerged from the longest and most dreadful civil war that ever was known in any nation. Why? Because among all their massacres, they

had not slain the *mind* in their country. A conscious dignity, a noble pride, a generous sense of glory and emulation, was not extinguished. On the contrary, it was kindled and inflamed. The organs also of the state, however shattered, existed. All the prizes of honour and virtue, all the rewards, all the distinctions remained. But your present confusion, like a palsy, has attacked the fountain of life itself. Every person in your country, in a situation to be actuated by a principle of honour, is disgraced and degraded, and can entertain no sensation of life, except in a mortified and humiliated indignation. But this generation will quickly pass away. The next generation of the nobility will resemble the artificers and clowns, and money-jobbers, usurers, and Jews, who will be always their fellows, sometimes their masters. Believe me, Sir, those who attempt to level, never equalise. In all societies, consisting of various descriptions of citizens, some description must be uppermost. The levellers therefore only change and pervert the natural order of things; they load the edifice of society, by setting up in the air what the solidity of the structure requires to be on the ground. The association of tailors and carpenters, of which the republic (of Paris, for instance) is composed, cannot be equal to the situation, into which, by the worst of usurpations, an usurpation on the prerogatives of nature, you attempt to force them.

The Chancellor of France at the opening of the states, said, in a tone of oratorical flourish, that all occupations were honourable. If he meant only, that no honest employment was disgraceful, he would not have gone beyond the truth. But in asserting that anything is honourable, we imply some distinction in its favour. The occupation of a hair-dresser, or of a working tallow-chandler, cannot be a matter of honour to any person—to say nothing of a number of other more servile employments. Such descriptions of men ought not to suffer oppression from the state; but the state suffers oppression, if such as they, either individually or collectively, are permitted to rule. In this you think you are combating prejudice, but you are at war with nature.[1]

[1] Ecclesiasticus, chap. xxxviii. verse 24, 25. "The wisdom of a learned man cometh by opportunity of leisure: and he that hath little busi-

I do not, my dear Sir, conceive you to be of that sophistical, captious spirit, or of that uncandid dulness, as to require, for every general observation or sentiment, an explicit detail of the correctives and exceptions, which reason will presume to be included in all the general propositions which come from reasonable men. You do not imagine, that I wish to confine power, authority, and distinction to blood, and names, and titles. No, Sir. There is no qualification for government but virtue and wisdom, actual or presumptive. Wherever they are actually found, they have, in whatever state, condition, profession, or trade, the passport of Heaven to human place and honour. Woe to the country which would madly and impiously reject the service of the talents and virtues, civil, military, or religious, that are given to grace and to serve it; and would condemn to obscurity everything formed to diffuse lustre and glory around a state! Woe to that country too, that, passing into the opposite extreme, considers a low education, a mean contracted view of things, a sordid, mercenary occupation, as a preferable title to command! Everything ought to be open; but not indifferently to every man. No rotation; no appointment by lot; no mode of election operating in the spirit of sortition, or rotation, can be generally good in a government conversant in extensive objects. Because they have no tendency, direct or indirect, to select the man with a view to the duty, or to accommodate the one to the other. I do not hesitate to say, that the road to eminence and power, from obscure condition, ought not to be made too easy, nor a thing too much of course. If rare merit be the rarest of all rare things, it ought to pass through some sort of probation. The temple

shall become wise."—"How can he get wisdom that holdeth the plough, and that glorieth in the goad; that driveth oxen; and is occupied in their labours; and whose talk is of bullocks?"

Ver. 27. "So every carpenter and work-master that laboureth night and day," &c.

Ver. 33. "They shall not be sought for in public counsel, nor sit high in the congregation: they shall not sit on the judge's seat, nor understand the sentence of judgment; they cannot declare justice and judgment, and they shall not be found where parables are spoken."

Ver. 34. "But they will maintain the state of the world."

I do not determine whether this book be canonical, as the Gallican church (till lately) has considered it, or apocryphal, as here it is taken. I am sure it contains a great deal of sense and truth.

of honour ought to be seated on an eminence. If it be opened through virtue, let it be remembered too, that virtue is never tried but by some difficulty and some struggle.

Nothing is a due and adequate representation of a state, that does not represent its ability, as well as its property. But as ability is a vigorous and active principle, and as property is sluggish, inert, and timid, it never can be safe from the invasions of ability, unless it be, out of all proportion, predominant in the representation. It must be represented too in great masses of accumulation, or it is not rightly protected. The characteristic essence of property, formed out of the combined principles of its acquisition and conservation, is to be *unequal*. The great masses therefore which excite envy, and tempt rapacity, must be put out of the possibility of danger. Then they form a natural rampart about the lesser properties in all their gradations. The same quantity of property, which is by the natural course of things divided among many, has not the same operation. Its defensive power is weakened as it is diffused. In this diffusion each man's portion is less than what, in the eagerness of his desires, he may flatter himself to obtain by dissipating the accumulations of others. The plunder of the few would indeed give but a share inconceivably small in the distribution to the many. But the many are not capable of making this calculation; and those who lead them to rapine never intend this distribution.

The power of perpetuating our property in our families is one of the most valuable and interesting circumstances belonging to it, and that which tends the most to the perpetuation of society itself. It makes our weakness subservient to our virtue; it grafts benevolence even upon avarice. The possessors of family wealth, and of the distinction which attends hereditary possession, (as most concerned in it,) are the natural securities for this transmission. With us the House of Peers is formed upon this principle. It is wholly composed of hereditary property and hereditary distinction; and made therefore the third of the legislature; and, in the last event, the sole judge of all property in all its subdivisions. The House of Commons too, though not necessarily, yet in fact, is always so composed, in the far greater part. Let those large proprietors be what they will, and they have

their chance of being amongst the best, they are, at the very worst, the ballast in the vessel of the commonwealth. For though hereditary wealth, and the rank which goes with it, are too much idolized by creeping sycophants, and the blind, abject admirers of power, they are too rashly slighted in shallow speculations of the petulant, assuming, short-sighted coxcombs of philosophy. Some decent, regulated pre-eminence, some preference (not exclusive appropriation) given to birth, is neither unnatural, nor unjust, nor impolitic.

It is said, that twenty-four millions ought to prevail over two hundred thousand. True; if the constitution of a kingdom be a problem of arithmetic. This sort of discourse does well enough with the lamp-post for its second: to men who *may* reason calmly, it is ridiculous. The will of the many, and their interest, must very often differ; and great will be the difference when they make an evil choice. A government of five hundred country attornies and obscure curates is not good for twenty-four millions of men, though it were chosen by eight and forty millions; nor is it the better for being guided by a dozen of persons of quality, who have betrayed their trust in order to obtain that power. At present, you seem in everything to have strayed out of the high road of nature. The property of France does not govern it. Of course property is destroyed, and rational liberty has no existence. All you have got for the present is a paper circulation, and a stock-jobbing constitution: and, as to the future, do you seriously think that the territory of France, upon the republican system of eighty-three independent municipalities, (to say nothing of the parts that compose them,) can ever be governed as one body, or can ever be set in motion by the impulse of one mind? When the National Assembly has completed its work, it will have accomplished its ruin. These commonwealths will not long bear a state of subjection to the republic of Paris. They will not bear that this one body should monopolize the captivity of the king, and the dominion over the assembly calling itself national. Each will keep its own portion of the spoil of the church to itself; and it will not suffer either that spoil, or the more just fruits of their industry, or the natural produce of their soil, to be sent to swell the insolence, or pamper the luxury, of the mechanics of Paris. In this they will see none of the equality,

under the pretence of which they have been tempted to throw off their allegiance to their sovereign, as well as the ancient constitution of their country. There can be no capital city in such a constitution as they have lately made. They have forgot, that when they framed democratic governments, they had virtually dismembered their country. The person, whom they persevere in calling king, has not power left to him by the hundredth part sufficient to hold together this collection of republics. The republic of Paris will endeavour indeed to complete the debauchery of the army, and illegally to perpetuate the assembly, without resort to its constituents, as the means of continuing its despotism. It will make efforts, by becoming the heart of a boundless paper circulation, to draw everything to itself; but in vain. All this policy in the end will appear as feeble as it is now violent.

If this be your actual situation, compared to the situation to which you were called, as it were by the voice of God and man, I cannot find it in my heart to congratulate you on the choice you have made, or the success which has attended your endeavours. I can as little recommend to any other nation a conduct grounded on such principles, and productive of such effects. That I must leave to those who can see farther into your affairs than I am able to do, and who best know how far your actions are favourable to their designs. The gentlemen of the Revolution Society, who were so early in their congratulations, appear to be strongly of opinion that there is some scheme of politics relative to this country, in which your proceedings may, in some way, be useful. For your Dr. Price, who seems to have speculated himself into no small degree of fervour upon this subject, addresses his auditory in the following very remarkable words: "I cannot conclude without recalling *particularly* to your recollection a consideration which I have *more than once alluded to*, and which probably your thoughts have *been all along anticipating*; a consideration with which my *mind is impressed more than I can express*. I mean the consideration of the *favourableness of the present times to all exertions in the cause of liberty*."

It is plain that the mind of this *political* preacher was at the time big with some extraordinary design; and it is very probable that the thoughts of his audience, who understood

him better than I do, did all along run before him in his reflection, and in the whole train of consequences to which it led.

Before I read that sermon, I really thought I had lived in a free country; and it was an error I cherished, because it gave me a greater liking to the country I lived in. I was indeed aware, that a jealous, ever-waking vigilance, to guard the treasure of our liberty, not only from invasion, but from decay and corruption, was our best wisdom, and our first duty. However, I considered that treasure rather as a possession to be secured, than as a prize to be contended for. I did not discern how the present time came to be so very favourable to all *exertions* in the cause of freedom. The present time differs from any other only by the circumstance of what is doing in France. If the example of that nation is to have an influence on this, I can easily conceive why some of their proceedings which have an unpleasant aspect, and are not quite reconcilable to humanity, generosity, good faith, and justice, are palliated with so much milky good-nature towards the actors, and borne with so much heroic fortitude towards the sufferers. It is certainly not prudent to discredit the authority of an example we mean to follow. But allowing this, we are led to a very natural question;—What is that cause of liberty, and what are those exertions in its favour, to which the example of France is so singularly auspicious? Is our monarchy to be annihilated, with all the laws, all the tribunals, and all the ancient corporations of the kingdom? Is every land-mark of the country to be done away in favour of a geometrical and arithmetical constitution? Is the House of Lords to be voted useless? Is episcopacy to be abolished? Are the church lands to be sold to Jews and jobbers; or given to bribe new-invented municipal republics into a participation in sacrilege? Are all the taxes to be voted grievances, and the revenue reduced to a patriotic contribution, or patriotic presents? Are silver shoe-buckles to be substituted in the place of the land tax and the malt tax, for the support of the naval strength of this kingdom? Are all orders, ranks, and distinctions to be confounded, that out of universal anarchy, joined to national bankruptcy, three or four thousand democracies should be formed into eighty-three, and that they may all, by some

sort of unknown attractive power, be organized into one? For this great end is the army to be seduced from its discipline and its fidelity, first by every kind of debauchery, and then by the terrible precedent of a donative in the increase of pay? Are the curates to be seduced from their bishops, by holding out to them the delusive hope of a dole out of the spoils of their own order? Are the citizens of London to be drawn from their allegiance by feeding them at the expense of their fellow-subjects? Is a compulsory paper currency to be substituted in the place of the legal coin of this kingdom? Is what remains of the plundered stock of public revenue to be employed in the wild project of maintaining two armies to watch over and to fight with each other? If these are the ends and means of the Revolution Society, I admit they are well assorted; and France may furnish them for both with precedents in point.

I see that your example is held out to shame us. I know that we are supposed a dull, sluggish race, rendered passive by finding our situation tolerable, and prevented by a mediocrity of freedom from ever attaining to its full perfection. Your leaders in France began by affecting to admire, almost to adore, the British constitution; but as they advanced, they came to look upon it with a sovereign contempt. The friends of your National Assembly amongst us have full as mean an opinion of what was formerly thought the glory of their country. The Revolution Society has discovered that the English nation is not free. They are convinced that the inequality in our representation is a "defect in our constitution *so gross and palpable*, as to make it excellent chiefly in *form* and *theory*."[1] That a representation in the legislature of a kingdom is not only the basis of all constitutional liberty in it, but of "*all legitimate government;* that without it a *government* is nothing but an *usurpation;*"—that "when the representation is *partial*, the kingdom possesses liberty only *partially;* and if extremely partial, it gives only a *semblance;* and if not only extremely partial, but corruptly chosen, it becomes a *nuisance*." Dr. Price considers this inadequacy of representation as our *fundamental grievance;* and though, as to the corruption of this semblance of representation, he hopes it is not yet arrived to its full perfection

[1] Discourse on the Love of our Country, 3rd edit. p. 39.

of depravity, he fears that "nothing will be done towards gaining for us this *essential blessing*, until some *great abuse of power* again provokes our resentment, or some *great calamity* again alarms our fears, or perhaps till the acquisition of a *pure and equal representation by other countries*, whilst we are *mocked* with the *shadow*, kindles our shame." To this he subjoins a note in these words: "A representation chosen chiefly by the treasury, and a *few* thousands of the *dregs* of the people, who are generally paid for their votes."

You will smile here at the consistency of those democratists, who, when they are not on their guard, treat the humbler part of the community with the greatest contempt, whilst, at the same time, they pretend to make them the depositories of all power. It would require a long discourse to point out to you the many fallacies that lurk in the generality and equivocal nature of the terms "inadequate representation." I shall only say here, in justice to that old-fashioned constitution, under which we have long prospered, that our representation has been found perfectly adequate to all the purposes for which a representation of the people can be desired or devised. I defy the enemies of our constitution to show the contrary. To detail the particulars in which it is found so well to promote its ends, would demand a treatise on our practical constitution. I state here the doctrine of the Revolutionists, only that you and others may see what an opinion these gentlemen entertain of the constitution of their country, and why they seem to think that some great abuse of power, or some great calamity, as giving a chance for the blessing of a constitution according to their ideas, would be much palliated to their feelings; you see *why they* are so much enamoured of your fair and equal representation, which being once obtained, the same effects might follow. You see they consider our House of Commons as only "a semblance," "a form," "a theory," "a shadow," "a mockery," perhaps "a nuisance."

These gentlemen value themselves on being systematic; and not without reason. They must therefore look on this gross and palpable defect of representation, this fundamental grievance, (so they call it,) as a thing not only vicious in itself, but as rendering our whole government absolutely *illegitimate*, and not at all better than a downright *usurpation*

Another revolution, to get rid of this illegitimate and usurped government, would of course be perfectly justifiable, if not absolutely necessary. Indeed their principle, if you observe it with any attention, goes much further than to an alteration in the election of the House of Commons; for, if popular representation, or choice, is necessary to the *legitimacy* of all government, the House of Lords is, at one stroke, bastardized and corrupted in blood. That House is no representative of the people at all, even in "semblance or in form." The case of the crown is altogether as bad. In vain the crown may endeavour to screen itself against these gentlemen by the authority of the establishment made on the Revolution. The Revolution which is resorted to for a title, on their system, wants a title itself. The Revolution is built, according to their theory, upon a basis not more solid than our present formalities, as it was made by a House of Lords, not representing any one but themselves; and by a House of Commons exactly such as the present, that is, as they term it, by a mere "shadow and mockery" of representation.

Something they must destroy, or they seem to themselves to exist for no purpose. One set is for destroying the civil power through the ecclesiastical; another, for demolishing the ecclesiastic through the civil. They are aware that the worst consequences might happen to the public in accomplishing this double ruin of church and state; but they are so heated with their theories, that they give more than hints, that this ruin, with all the mischiefs that must lead to it and attend it, and which to themselves appear quite certain, would not be unacceptable to them, or very remote from their wishes. A man amongst them of great authority, and certainly of great talents, speaking of a supposed alliance between church and state, says, "perhaps *we must wait for the fall of the civil powers* before this most unnatural alliance be broken. Calamitous no doubt will that time be. But what convulsion in the political world ought to be a subject of lamentation, if it be attended with so desirable an effect?" You see with what a steady eye these gentlemen are prepared to view the greatest calamities which can befall their country.

It is no wonder therefore, that with these ideas of everything in their constitution and government at home, either in church or state, as illegitimate and usurped, or at best as

a vain mockery, they look abroad with an eager and passionate enthusiasm. Whilst they are possessed by these notions, it is vain to talk to them of the practice of their ancestors, the fundamental laws of their country, the fixed form of a constitution, whose merits are confirmed by the solid test of long experience, and an increasing public strength and national prosperity. They despise experience as the wisdom of unlettered men; and as for the rest, they have wrought under-ground a mine that will blow up, at one grand explosion, all examples of antiquity, all precedents, charters, and acts of parliament. They have "the rights of men." Against these there can be no prescription; against these no agreement is binding: these admit no temperament, and no compromise: anything withheld from their full demand is so much of fraud and injustice. Against these their rights of men let no government look for security in the length of its continuance, or in the justice and lenity of its administration. The objections of these speculatists, if its forms do not quadrate with their theories, are as valid against such an old and beneficent government, as against the most violent tyranny, or the greenest usurpation. They are always at issue with governments, not on a question of abuse, but a question of competency, and a question of title. I have nothing to say to the clumsy subtilty of their political metaphysics. Let them be their amusement in the schools.—"Illa *se jactat in aula—Æolus, et clauso ventorum carcere regnet.*"—But let them not break prison to burst like a *Levanter*, to sweep the earth with their hurricane, and to break up the fountains of the great deep to overwhelm us.

Far am I from denying in theory, full as far is my heart from withholding in practice, (if I were of power to give or to withhold,) the *real* rights of men. In denying their false claims of right, I do not mean to injure those which are real, and are such as their pretended rights would totally destroy. If civil society be made for the advantage of man, all the advantages for which it is made become his right. It is an institution of beneficence; and law itself is only beneficence acting by a rule. Men have a right to live by that rule; they have a right to do justice, as between their fellows, whether their fellows are in public function or in ordinary occupation. They have a right to the fruits of their industry;

and to the means of making their industry fruitful. They have a right to the acquisitions of their parents; to the nourishment and improvement of their offspring; to instruction in life, and to consolation in death. Whatever each man can separately do, without trespassing upon others, he has a right to do for himself; and he has a right to a fair portion of all which society, with all its combinations of skill and force, can do in his favour. In this partnership all men have equal rights; but not to equal things. He that has but five shillings in the partnership, has as good a right to it, as he that has five hundred pounds has to his larger proportion. But he has not a right to an equal dividend in the product of the joint stock; and as to the share of power, authority, and direction which each individual ought to have in the management of the state, that I must deny to be amongst the direct original rights of man in civil society; for I have in my contemplation the civil social man, and no other. It is a thing to be settled by convention.

If civil society be the offspring of convention, that convention must be its law. That convention must limit and modify all the descriptions of constitution which are formed under it. Every sort of legislative, judicial, or executory power are its creatures. They can have no being in any other state of things; and how can any man claim under the conventions of civil society, rights which do not so much as suppose its existence? rights which are absolutely repugnant to it? One of the first motives to civil society, and which becomes one of its fundamental rules, is, *that no man should be judge in his own cause.* By this each person has at once divested himself of the first fundamental right of uncovenanted man, that is, to judge for himself, and to assert his own cause. He abdicates all right to be his own governor. He inclusively, in a great measure, abandons the right of self-defence, the first law of nature. Men cannot enjoy the rights of an uncivil and of a civil state together. That he may obtain justice, he gives up his right of determining what it is in points the most essential to him. That he may secure some liberty, he makes a surrender in trust of the whole of it.

Government is not made in virtue of natural rights, which may and do exist in total independence of it; and exist in

much greater clearness, and in a much greater degree of abstract perfection: but their abstract perfection is their practical defect. By having a right to everything they want everything. Government is a contrivance of human wisdom to provide for human *wants*. Men have a right that these wants should be provided for by this wisdom. Among these wants is to be reckoned the want, out of civil society, of a sufficient restraint upon their passions. Society requires not only that the passions of individuals should be subjected, but that even in the mass and body, as well as in the individuals, the inclinations of men should frequently be thwarted, their will controlled, and their passions brought into subjection. This can only be done *by a power out of themselves;* and not, in the exercise of its function, subject to that will and to those passions which it is its office to bridle and subdue. In this sense the restraints on men, as well as their liberties, are to be reckoned among their rights. But as the liberties and the restrictions vary with times and circumstances, and admit of infinite modifications, they cannot be settled upon any abstract rule; and nothing is so foolish as to discuss them upon that principle.

The moment you abate anything from the full rights of men, each to govern himself, and suffer any artificial, positive limitation upon those rights, from that moment the whole organization of government becomes a consideration of convenience. This it is which makes the constitution of a state, and the due distribution of its powers, a matter of the most delicate and complicated skill. It requires a deep knowledge of human nature and human necessities, and of the things which facilitate or obstruct the various ends, which are to be pursued by the mechanism of civil institutions. The state is to have recruits to its strength, and remedies to its distempers. What is the use of discussing a man's abstract right to food or medicine? The question is upon the method of procuring and administering them. In that deliberation I shall always advise to call in the aid of the farmer and the physician, rather than the professor of metaphysics.

The science of constructing a commonwealth, or renovating it, or reforming it, is, like every other experimental science, not to be taught *à priori*. Nor is it a short experience that can instruct us in that practical science: because the

real effects of moral causes are not always immediate; but that which in the first instance is prejudicial may be excellent in its remoter operation; and its excellence may arise even from the ill effects it produces in the beginning. The reverse also happens: and very plausible schemes, with very pleasing commencements, have often shameful and lamentable conclusions. In states there are often some obscure and almost latent causes, things which appear at first view of little moment, on which a very great part of its prosperity or adversity may most essentially depend. The science of government being therefore so practical in itself, and intended for such practical purposes, a matter which requires experience, and even more experience than any person can gain in his whole life, however sagacious and observing he may be, it is with infinite caution that any man ought to venture upon pulling down an edifice, which has answered in any tolerable degree for ages the common purposes of society, or on building it up again, without having models and patterns of approved utility before his eyes.

These metaphysic rights entering into common life, like rays of light which pierce into a dense medium, are, by the laws of nature, refracted from their straight line. Indeed in the gross and complicated mass of human passions and concerns, the primitive rights of men undergo such a variety of refractions and reflections, that it becomes absurd to talk of them as if they continued in the simplicity of their original direction. The nature of man is intricate; the objects of society are of the greatest possible complexity: and therefore no simple disposition or direction of power can be suitable either to man's nature, or to the quality of his affairs. When I hear the simplicity of contrivance aimed at and boasted of in any new political constitutions, I am at no loss to decide that the artificers are grossly ignorant of their trade, or totally negligent of their duty. The simple governments are fundamentally defective, to say no worse of them. If you were to contemplate society in but one point of view, all these simple modes of polity are infinitely captivating. In effect each would answer its single end much more perfectly than the more complex is able to attain all its complex purposes. But it is better that the whole should be imperfectly and anomalously answered, than that, while

some parts are provided for with great exactness, others might be totally neglected, or perhaps materially injured, by the over-care of a favourite member.

The pretended rights of these theorists are all extremes: and in proportion as they are metaphysically true, they are morally and politically false. The rights of men are in a sort of *middle*, incapable of definition, but not impossible to be discerned. The rights of men in governments are their advantages; and these are often in balances between differences of good; in compromises sometimes between good and evil, and sometimes between evil and evil. Political reason is a computing principle; adding, subtracting, multiplying, and dividing, morally and not metaphysically, or mathematically, true moral denominations.

By these theorists the right of the people is almost always sophistically confounded with their power. The body of the community, whenever it can come to act, can meet with no effectual resistance; but till power and right are the same, the whole body of them has no right inconsistent with virtue, and the first of all virtues, prudence. Men have no right to what is not reasonable, and to what is not for their benefit; for though a pleasant writer said, *Liceat perire poetis*, when one of them, in cold blood, is said to have leaped into the flames of a volcanic revolution, *Ardentem frigidus Ætnam insiluit*, I consider such a frolic rather as an unjustifiable poetic licence, than as one of the franchises of Parnassus; and whether he were poet, or divine, or politician, that chose to exercise this kind of right, I think that more wise, because more charitable, thoughts would urge me rather to save the man, than to preserve his brazen slippers as the monuments of his folly.

The kind of anniversary sermons to which a great part of what I write refers, if men are not shamed out of their present course, in commemorating the fact, will cheat many out of the principles, and deprive them of the benefits, of the revolution they commemorate. I confess to you, Sir, I never liked this continual talk of resistance, and revolution, or the practice of making the extreme medicine of the constitution its daily bread. It renders the habit of society dangerously valetudinary: it is taking periodical doses of

mercury sublimate, and swallowing down repeated provocatives of cantharides to our love of liberty.

This distemper of remedy, grown habitual, relaxes and wears out, by a vulgar and prostituted use, the spring of that spirit which is to be exerted on great occasions. It was in the most patient period of Roman servitude that themes of tyrannicide made the ordinary exercise of boys at school—*cum perimit sævos classis numerosa tyrannos*. In the ordinary state of things, it produces in a country like ours the worst effects, even on the cause of that liberty which it abuses with the dissoluteness of an extravagant speculation. Almost all the high-bred republicans of my time have, after a short space, become the most decided, thorough-paced courtiers; they soon left the business of a tedious, moderate, but practical resistance, to those of us whom, in the pride and intoxication of their theories, they have slighted as not much better than Tories. Hypocrisy, of course, delights in the most sublime speculations; for, never intending to go beyond speculation, it costs nothing to have it magnificent. But even in cases where rather levity than fraud was to be suspected in these ranting speculations, the issue has been much the same. These professors, finding their extreme principles not applicable to cases which call only for a qualified, or, as I may say, civil and legal resistance, in such cases employ no resistance at all. It is with them a war or a revolution, or it is nothing. Finding their schemes of politics not adapted to the state of the world in which they live, they often come to think lightly of all public principle; and are ready, on their part, to abandon for a very trivial interest what they find of very trivial value. Some indeed are of more steady and persevering natures; but these are eager politicians out of parliament, who have little to tempt them to abandon their favourite projects. They have some change in the church or state, or both, constantly in their view. When that is the case, they are always bad citizens, and perfectly unsure connexions. For, considering their speculative designs as of infinite value, and the actual arrangement of the state as of no estimation, they are at best indifferent about it. They see no merit in the good, and no fault in the vicious, management of public affairs they rather rejoice in the

latter, as more propitious to revolution. They see no merit or demerit in any man, or any action, or any political principle, any further than as they may forward or retard their design of change: they therefore take up, one day, the most violent and stretched prerogative, and another time the wildest democratic ideas of freedom, and pass from the one to the other without any sort of regard to cause, to person, or to party.

In France you are now in the crisis of a revolution, and in the transit from one form of government to another—you cannot see that character of men exactly in the same situation in which we see it in this country. With us it is militant; with you it is triumphant; and you know how it can act when its power is commensurate to its will. I would not be supposed to confine those observations to any description of men, or to comprehend all men of any description within them—No! far from it. I am as incapable of that injustice, as I am of keeping terms with those who profess principles of extremities; and who, under the name of religion, teach little else than wild and dangerous politics. The worst of these politics of revolution is this: they temper and harden the breast, in order to prepare it for the desperate strokes which are sometimes used in extreme occasions. But as these occasions may never arrive, the mind receives a gratuitous taint; and the moral sentiments suffer not a little, when no political purpose is served by the depravation. This sort of people are so taken up with their theories about the rights of man, that they have totally forgotten his nature. Without opening one new avenue to the understanding, they have succeeded in stopping up those that lead to the heart. They have perverted in themselves, and in those that attend to them, all the well-placed sympathies of the human breast.

This famous sermon of the Old Jewry breathes nothing but this spirit through all the political part. Plots, massacres, assassinations, seem to some people a trivial price for obtaining a revolution. A cheap, bloodless reformation, a guiltless liberty, appear flat and vapid to their taste. There must be a great change of scene; there must be a magnificent stage effect; there must be a grand spectacle to rouse the imagination, grown torpid with the lazy enjoyment of sixty years' security, and the still unanimating repose of public pros-

perity. The preacher found them all in the French Revolution. This inspires a juvenile warmth through his whole frame. His enthusiasm kindles as he advances; and when he arrives at his peroration it is in a full blaze. Then viewing, from the Pisgah of his pulpit, the free, moral, happy, flourishing, and glorious state of France, as in a bird's-eye landscape of a promised land, he breaks out into the following rapture:

"What an eventful period is this! I am *thankful* that I have lived to it; I could almost say, *Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.*—I have lived to see a *diffusion* of knowledge, which has undermined superstition and error.—I have lived to see *the rights of men* better understood than ever; and nations panting for liberty which seemed to have lost the idea of it.—I have lived to see *thirty millions of people*, indignant and resolute, spurning at slavery, and demanding liberty with an irresistible voice. *Their king led in triumph, and an arbitrary monarch surrendering himself to his subjects.*"[1]

Before I proceed further, I have to remark, that Dr. Price seems rather to overvalue the great acquisitions of light which he has obtained and diffused in this age. The last century appears to me to have been quite as much enlightened. It had, though in a different place, a triumph as memorable as that of Dr. Price; and some of the great preachers of that period partook of it as eagerly as he has done in the triumph of France. On the trial of the Rev. Hugh Peters for high treason, it was deposed, that when King Charles was brought to London for his trial, the Apostle of Liberty in that day conducted the *triumph*. "I saw," says the witness, "his Majesty in the coach with six horses, and Peters riding before the king, *triumphing*." Dr. Price, when he talks as if he had made a discovery, only follows a precedent; for, after the commencement of the king's trial, this precursor, the same Dr. Peters, concluding a long prayer at the

[1] Another of these reverend gentlemen, who was witness to some of the spectacles which Paris has lately exhibited, expresses himself thus:—"*A king dragged in submissive triumph by his conquering subjects*, is one of those appearances of grandeur which seldom rise in the prospect of human affairs, and which, during the remainder of my life, I shall think of with wonder and gratification." These gentlemen agree marvellously in their feelings.

Royal Chapel at Whitehall, (he had very triumphantly chosen his place,) said, "I have prayed and preached these twenty years; and now I may say with old Simeon, *Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.*"[1] Peters had not the fruits of his prayer; for he neither departed so soon as he wished, nor in peace. He became (what I heartily hope none of his followers may be in this country) himself a sacrifice to the triumph which he led as pontiff. They dealt at the Restoration, perhaps, too hardly with this poor good man. But we owe it to his memory and his sufferings, that he had as much illumination, and as much zeal, and had as effectually undermined all *the superstition and error* which might impede the great business he was engaged in, as any who follow and repeat after him, in this age, which would assume to itself an exclusive title to the knowledge of the rights of men, and all the glorious consequences of that knowledge.

After this sally of the preacher of the Old Jewry, which differs only in place and time, but agrees perfectly with the spirit and letter of the rapture of 1648, the Revolution Society, the fabricators of governments, the heroic band of *cashierers* of *monarchs*, electors of sovereigns, and leaders of kings in triumph, strutting with a proud consciousness of the diffusion of knowledge, of which every member had obtained so large a share in the donative, were in haste to make a generous diffusion of the knowledge they had thus gratuitously received. To make this bountiful communication, they adjourned from the church in the Old Jewry to the London Tavern; where the same Dr. Price, in whom the fumes of his oracular tripod were not entirely evaporated, moved and carried the resolution, or address of congratulation, transmitted by Lord Stanhope to the National Assembly of France.

I find a preacher of the gospel profaning the beautiful and prophetic ejaculation, commonly called "*nunc dimittis*," made on the first presentation of our Saviour in the temple, and applying it, with an inhuman and unnatural rapture, to the most horrid, atrocious, and afflicting spectacle that perhaps ever was exhibited to the pity and indignation of mankind. This "*leading in triumph*," a thing in its best form unmanly and irreligious, which fills our preacher with such unhallow-

[1] State Trials, vol. ii. p. 360, 363.

ed transports, must shock, I believe, the moral taste of every well-born mind. Several English were the stupified and indignant spectators of that triumph. It was (unless we have been strangely deceived) a spectacle more resembling a procession of American savages, entering into Onondaga, after some of their murders called victories, and leading into hovels hung round with scalps, their captives, overpowered with the scoffs and buffets of women as ferocious as themselves, much more than it resembled the triumphal pomp of a civilized, martial nation;—if a civilized nation, or any men who had a sense of generosity, were capable of a personal triumph over the fallen and afflicted.

This, my dear Sir, was not the triumph of France. I must believe that, as a nation, it overwhelmed you with shame and horror. I must believe that the National Assembly find themselves in a state of the greatest humiliation in not being able to punish the authors of this triumph, or the actors in it; and that they are in a situation in which any inquiry they may make upon the subject must be destitute even of the appearance of liberty or impartiality. The apology of that assembly is found in their situation; but when we approve what they *must* bear, it is in us the degenerate choice of a vitiated mind.

With a compelled appearance of deliberation, they vote under the dominion of a stern necessity. They sit in the heart, as it were, of a foreign republic: they have their residence in a city whose constitution has emanated neither from the charter of their king, nor from their legislative power. There they are surrounded by an army not raised either by the authority of their crown, or by their command: and which, if they should order to dissolve itself, would instantly dissolve them. There they sit, after a gang of assassins had driven away some hundreds of the members; whilst those who held the same moderate principles, with more patience or better hope, continued every day exposed to outrageous insults and murderous threats. There a majority, sometimes real, sometimes pretended, captive itself, compels a captive king to issue as royal edicts, at third hand, the polluted nonsense of their most licentious and giddy coffee-houses. It is notorious, that all their measures are decided before they are debated. It is beyond doubt, that under the

terror of the bayonet, and the lamp-post, and the torch to their houses, they are obliged to adopt all the crude and desperate measures suggested by clubs composed of a monstrous medley of all conditions, tongues, and nations. Among these are found persons, in comparison of whom Catiline would be thought scrupulous, and Cethegus a man of sobriety and moderation. Nor is it in these clubs alone that the public measures are deformed into monsters. They undergo a previous distortion in academies, intended as so many seminaries for these clubs, which are set up in all the places of public resort. In these meetings of all sorts, every counsel, in proportion as it is daring, and violent, and perfidious, is taken for the mark of superior genius. Humanity and compassion are ridiculed as the fruits of superstition and ignorance. Tenderness to individuals is considered as treason to the public. Liberty is always to be estimated perfect as property is rendered insecure. Amidst assassination, massacre, and confiscation, perpetrated or meditated, they are forming plans for the good order of future society. Embracing in their arms the carcases of base criminals, and promoting their relations on the title of their offences, they drive hundreds of virtuous persons to the same end, by forcing them to subsist by beggary or by crime.

The assembly, their organ, acts before them the farce of deliberation with as little decency as liberty. They act like the comedians of a fair before a riotous audience; they act amidst the tumultuous cries of a mixed mob of ferocious men, and of women lost to shame, who, according to their insolent fancies, direct, control, applaud, explode them; and sometimes mix and take their seats amongst them; domineering over them with a strange mixture of servile petulance and proud, presumptuous authority. As they have inverted order in all things, the gallery is in the place of the house. This assembly, which overthrows kings and kingdoms, has not even the physiognomy and aspect of a grave legislative body—*nec color imperii, nec frons ulla senatûs.* They have a power given to them, like that of the evil principle, to subvert and destroy; but none to construct, except such machines as may be fitted for further subversion and further destruction.

Who is it that admires, and from the heart is attached to,

national representative assemblies, but must turn with horror and disgust from such a profane burlesque, and abominable perversion of that sacred institute? Lovers of monarchy, lovers of republics, must alike abhor it. The members of your assembly must themselves groan under the tyranny of which they have all the shame, none of the direction, and little of the profit. I am sure many of the members who compose even the majority of that body must feel as I do, notwithstanding the applauses of the Revolution Society. Miserable king! miserable assembly! How must that assembly be silently scandalized with those of their members, who could call a day which seemed to blot the sun out of heaven, "*un beau jour!*"[1] How must they be inwardly indignant at hearing others, who thought fit to declare to them, "that the vessel of the state would fly forward in her course towards regeneration with more speed than ever," from the stiff gale of treason and murder, which preceded our preacher's triumph! What must they have felt, whilst, with outward patience, and inward indignation, they heard of the slaughter of innocent gentlemen in their houses, that "the blood spilled was not the most pure!" What must they have felt, when they were besieged by complaints of disorders which shook their country to its foundations, at being compelled coolly to tell the complainants, that they were under the protection of the law, and that they would address the king (the captive king) to cause the laws to be enforced for their protection; when the enslaved ministers of that captive king had formally notified to them, that there were neither law, nor authority, nor power left to protect! What must they have felt at being obliged, as a felicitation on the present new year, to request their captive king to forget the stormy period of the last, on account of the great good which *he* was likely to produce to his people; to the complete attainment of which good they adjourned the practical demonstrations of their loyalty, assuring him of their obedience, when he should no longer possess any authority to command!

This address was made with much good nature and affection, to be sure. But among the revolutions in France must be reckoned a considerable revolution in their ideas of politeness. In England we are said to learn manners at

[1] 6th of October, 1789.

second-hand from your side of the water, and that we dress our behaviour in the frippery of France. If so, we are still in the old cut; and have not so far conformed to the new Parisian mode of good breeding, as to think it quite in the most refined strain of delicate compliment (whether in condolence or congratulation) to say, to the most humiliated creature that crawls upon the earth, that great public benefits are derived from the murder of his servants, the attempted assassination of himself and of his wife, and the mortification, disgrace, and degradation, that he has personally suffered. It is a topic of consolation which our ordinary of Newgate would be too humane to use to a criminal at the foot of the gallows. I should have thought that the hangman of Paris, now that he is liberalized by the vote of the National Assembly, and is allowed his rank and arms in the herald's college of the rights of men, would be too generous, too gallant a man, too full of the sense of his new dignity, to employ that cutting consolation to any of the persons whom the *leze nation* might bring under the administration of his *executive power*.

A man is fallen indeed, when he is thus flattered. The anodyne draught of oblivion, thus drugged, is well calculated to preserve a galling wakefulness, and to feed the living ulcer of a corroding memory. Thus to administer the opiate potion of amnesty, powdered with all the ingredients of scorn and contempt, is to hold to his lips, instead of "the balm of hurt minds," the cup of human misery full to the brim, and to force him to drink it to the dregs.

Yielding to reasons, at least as forcible as those which were so delicately urged in the compliment on the new year, the king of France will probably endeavour to forget these events and that compliment. But history, who keeps a durable record of all our acts, and exercises her awful censure over the proceedings of all sorts of sovereigns, will not forget either those events, or the era of this liberal refinement in the intercourse of mankind. History will record, that on the morning of the 6th of October, 1789, the king and queen of France, after a day of confusion, alarm, dismay, and slaughter, lay down, under the pledged security of public faith, to indulge nature in a few hours of respite, and troubled, melancholy repose. From this sleep the queen was

first startled by the voice of the sentinel at her door, who cried out to her to save herself by flight—that this was the last proof of fidelity he could give—that they were upon him, and he was dead. Instantly he was cut down. A band of cruel ruffians and assassins, reeking with his blood, rushed into the chamber of the queen, and pierced with a hundred strokes of bayonets and poniards the bed, from whence this persecuted woman had but just time to fly almost naked, and, through ways unknown to the murderers, had escaped to seek refuge at the feet of a king and husband, not secure of his own life for a moment.

This king, to say no more of him, and this queen, and their infant children, (who once would have been the pride and hope of a great and generous people,) were then forced to abandon the sanctuary of the most splendid palace in the world, which they left swimming in blood, polluted by massacre, and strewed with scattered limbs and mutilated carcases. Thence they were conducted into the capital of their kingdom. Two had been selected from the unprovoked, unresisted, promiscuous slaughter, which was made of the gentlemen of birth and family who composed the king's body guard. These two gentlemen, with all the parade of an execution of justice, were cruelly and publicly dragged to the block, and beheaded in the great court of the palace. Their heads were stuck upon spears, and led the procession; whilst the royal captives who followed in the train were slowly moved along, amidst the horrid yells, and shrilling screams, and frantic dances, and infamous contumelies, and all the unutterable abominations of the furies of hell, in the abused shape of the vilest of women. After they had been made to taste, drop by drop, more than the bitterness of death, in the slow torture of a journey of twelve miles, protracted to six hours, they were, under a guard, composed of those very soldiers who had thus conducted them through this famous triumph, lodged in one of the old palaces of Paris, now converted into a bastile for kings.

Is this a triumph to be consecrated at altars? to be commemorated with grateful thanksgiving? to be offered to the divine humanity with fervent prayer and enthusiastic ejaculation?—These Theban and Thracian orgies, acted in France, and applauded only in the Old Jewry, I assure you, kindle

prophetic enthusiasm in the minds but of very few people in this kingdom: although a saint and apostle, who may have revelations of his own, and who has so completely vanquished all the mean superstitions of the heart, may incline to think it pious and decorous to compare it with the entrance into the world of the Prince of Peace, proclaimed in a holy temple by a venerable sage, and not long before not worse announced by the voice of angels to the quiet innocence of shepherds.

At first I was at a loss to account for this fit of unguarded transport. I knew, indeed, that the sufferings of monarchs make a delicious repast to some sort of palates. There were reflections which might serve to keep this appetite within some bounds of temperance. But when I took one circumstance into my consideration, I was obliged to confess, that much allowance ought to be made for the society, and that the temptation was too strong for common discretion; I mean, the circumstance of the Io Pæan of the triumph, the animating cry which called "for *all* the BISHOPS to be hanged on the lamp-posts,"[1] might well have brought forth a burst of enthusiasm on the foreseen consequences of this happy day. I allow to so much enthusiasm some little deviation from prudence. I allow this prophet to break forth into hymns of joy and thanksgiving on an event which appears like the precursor of the Millenium, and the projected fifth monarchy, in the destruction of all church establishments. There was, however, (as in all human affairs there is,) in the midst of this joy, something to exercise the patience of these worthy gentlemen, and to try the long-suffering of their faith. The actual murder of the king and queen, and their child, was wanting to the other auspicious circumstances of this "*beautiful day*." The actual murder of the bishops, though called for by so many holy ejaculations, was also wanting. A group of regicide and sacrilegious slaughter, was indeed boldly sketched, but it was only sketched. It unhappily was left unfinished, in this great history-piece of the massacre of innocents. What hardy pencil of a great master, from the school of the rights of men, will finish it, is to be seen hereafter. The age has not yet the complete benefit of that diffusion of knowledge that has undermined superstition

[1] Tous les Evêques à la lanterne.

and error; and the king of France wants another object or two to consign to oblivion, in consideration of all the good which is to arise from his own sufferings, and the patriotic crimes of an enlightened age.[1]

[1] It is proper here to refer to a letter written upon this subject by an eye-witness. That eye-witness was one of the most honest, intelligent, and eloquent members of the National Assembly, one of the most active and zealous reformers of the state. He was obliged to secede from the assembly; and he afterwards became a voluntary exile, on account of the horrors of this pious triumph, and the dispositions of men, who, profiting of crimes, if not causing them, have taken the lead in public affairs.

Extract of M. de Lally Tollendal's Second Letter to a Friend

"Parlons du parti que j'ai pris; il est bien justifié dans ma conscience —Ni cette ville coupable, ni cette assemblee plus coupable encore, ne meritoient que je me justifie; mais j'ai à cœur que vous, et les personnes qui pensent comme vous, ne me condamnent pas.—Ma santé, je vous jure, me rendoit mes fonctions impossibles; mais même en les mettant de côté il a été au-dessus de mes forces de supporter plus longtems l'horreur que me causoit ce sang,—ces têtes—cette reine *presque égorgée*,—ce roi, —amené *sclave*,—entrantà Paris, au milieu de ses assassins, et précédé des têtes de ses malheureux grades—ces perfides janissaires, ces assassins, ces femmes cannibales, ce cri de TOUS LES EVEQUES A LA LANTERNE, dans le moment où le roi entre sa capitale avec deux évêques de son conseil dans sa voiture—un *coup de fusil*, que j'ai vu tirer dans un *des carosses de la reine*. M. Bailly appellant cela *un beau jour*,—l'assemblée ayant déclaré froidement le matin, qu'il n'étoit pas de sa dignité d'aller toute entière environner le roi—M. Mirabeau disant impunément dans cette assemblée que le vaisseau de l'état, loins d'être arrêté dans sa course, s'élanceroit avec plus de rapidité que jamais vers sa régénération—M. Barnave, riant avec lui, quand des flots de sang coulaient autour de nous—le vertueux Mounier * échappant par miracle à vingt assassins, qui avoient voulu faire de sa tête un trophée de plus: Voilà ce qui me fit jurer de ne plus mettre le pied *dans cette caverne d' Antropophages* [the National Assembly] où je n'avois plus de force d'élever la voix, où depuis six semaines je l'avois élevée en vain.

"Moi, Mounier, et tous les honnêtes gens, ont pensé que le dernier effort à faire pour le bien étoit d'en sortir. Aucune idée de crainte ne s'est approchée de moi. Je rougirois de m'en défendre. J'avois encore reçû sur la route de la part de ce peuple, moins coupable que ceux qui l'ont enivré de fureur, des acclamations, et des applaudissements, dont d'autres auroient été flattés, et qui m'ont fait frémir. C'est à l'indignation, c'est à l'horreur, c'est aux convulsions physiques, que le seul aspect du sang me fait éprouver que j'ai cédé. On brave une seul mort; on la brave plusieurs fois, quand elle peut être utile. Mais aucune puissance sous le Ciel, mais aucune opinion publique ou privée n'ont le droit de me con-

* N. B. Mr. Mounier was then speaker of the National Assembly. He has since been obliged to live in exile, though one of the firmest assertors of liberty.

Although this work of our new light and knowledge did not go to the length that in all probability it was intended it should be carried, yet I must think that such treatment of any human creatures must be shocking to any but those who are made for accomplishing revolutions. But I cannot stop here. Influenced by the inborn feelings of my nature, and not being illuminated by a single ray of this new-sprung modern light, I confess to you, Sir, that the exalted rank of the persons suffering, and particularly the sex, the beauty, and the amiable qualities of the descendant of so many kings and emperors, with the tender age of royal infants, insensible only through infancy and innocence of the cruel outrages to which their parents were exposed, instead of being a subject of exultation, adds not a little to my sensibility on that most melancholy occasion.

I hear that the august person, who was the principal object of our preacher's triumph, though he supported himself, felt much on that shameful occasion. As a man, it became him to feel for his wife and his children, and the faithful guards of his person, that were massacred in cold blood about him; as a prince, it became him to feel for the strange and frightful transformation of his civilized subjects, and to be more grieved for them than solicitous for himself. It derogates little from his fortitude, while it adds infinitely to the honour of his humanity. I am very sorry to say it, very sorry indeed, that such personages are in a situation in which it is not becoming in us to praise the virtues of the great.

I hear, and I rejoice to hear, that the great lady, the other object of the triumph, has borne that day, (one is interested that beings made for suffering should suffer well,) and that she bears all the succeeding days, that she bears the

damner à souffrir inutilement mille supplices par minute, et à perir de désespoir, de rage, au milieu des *triomphes*, du crime que je n'ai pu arrêter. Ils me proscriront, ils confisqueront mes biens. Je labourerai la terre, et je ne les verrai plus.—Voilà ma justification. Vous pourrez la lire, la montrer, la laisser copier; tant pis pour ceux qui ne la comprendront pas; ce ne sera alors moi qui auroit eu tort de la leur donner."

This military man had not so good nerves as the peaceable gentleman of the Old Jewry.—See Mons. Mounier's narrative of these transactions; a man also of honour, and virtue, and talents, and therefore a fugitive.

imprisonment of her husband, and her own captivity, and the exile of her friends, and the insulting adulation of addresses, and the whole weight of her accumulated wrongs, with a serene patience, in a manner suited to her rank and race, and becoming the offspring of a sovereign distinguished for her piety and her courage: that, like her, she has lofty sentiments; that she feels with the dignity of a Roman matron; that in the last extremity she will save herself from the last disgrace; and that, if she must fall, she will fall by no ignoble hand.

It is now sixteen or seventeen years since I saw the queen of France, then the dauphiness, at Versailles; and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in,—glittering like the morning-star, full of life, and splendour, and joy. Oh! what a revolution! and what a heart must I have to comtemplate without emotion that elevation and that fall! Little did I dream when she added titles of veneration to those of enthusiastic, distant, respectful love, that she should ever be obliged to carry the sharp antidote against disgrace concealed in that bosom; little did I dream that I should have lived to see such disasters fallen upon her in a nation of gallant men, in a nation of men of honour, and of cavaliers. I thought ten thousand swords must have leaped from their scabbards to avenge even a look that threatened her with insult. But the age of chivalry is gone. That of sophisters, economists, and calculators, has succeeded; and the glory of Europe is extinguished for ever. Never, never more shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom. The unbought grace of life, the cheap defence of nations, the nurse of manly sentiment and heroic enterprise, is gone! It is gone, that sensibility of principle, that chastity of honour, which felt a stain like a wound, which inspired courage whilst it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil, by losing all its grossness.

This mixed system of opinion and sentiment had its origin

in the ancient chivalry; and the principle, though varied in its appearance by the varying state of human affairs, subsisted and influenced through a long succession of generations, even to the time we live in. If it should ever be totally extinguished, the loss I fear will be great. It is this which has given its character to modern Europe. It is this which has distinguished it under all its forms of government, and distinguished it to its advantage, from the states of Asia, and possibly from those states which flourished in the most brilliant periods of the antique world. It was this, which, without confounding ranks, had produced a noble equality, and handed it down through all the gradations of social life. It was this opinion which mitigated kings into companions, and raised private men to be fellows with kings. Without force or opposition, it subdued the fierceness of pride and power; it obliged sovereigns to submit to the soft collar of social esteem, compelled stern authority to submit to elegance, and gave a dominating vanquisher of laws to be subdued by manners.

But now all is to be changed. All the pleasing illusions, which made power gentle and obedience liberal, which harmonized the different shades of life, and which, by a bland assimilation, incorporated into politics the sentiments which beautify and soften private society, are to be dissolved by this new conquering empire of light and reason. All the decent drapery of life is to be rudely torn off. All the superadded ideas, furnished from the wardrobe of a moral imagination, which the heart owns, and the understanding ratifies, as necessary to cover the defects of our naked, shivering nature, and to raise it to dignity in our own estimation, are to be exploded as a ridiculous, absurd, and antiquated fashion.

On this scheme of things, a king is but a man, a queen is but a woman; a woman is but an animal, and an animal not of the highest order. All homage paid to the sex in general as such, and without distinct views, is to be regarded as romance and folly. Regicide, and parricide, and sacrilege, are but fictions of superstition, corrupting jurisprudence by destroying its simplicity. The murder of a king, or a queen, or a bishop, or a father, are only common homicide; and if the people are by any chance, or in any way, gainers by it,

a sort of homicide much the most pardonable, and into which we ought not to make too severe a scrutiny.

On the scheme of this barbarous philosophy, which is the offspring of cold hearts and muddy understandings, and which is as void of solid wisdom as it is destitute of all taste and elegance, laws are to be supported only by their own terrors, and by the concern which each individual may find in them from his own private speculations, or can spare to them from his own private interests. In the groves of *their* academy, at the end of every vista, you see nothing but the gallows. Nothing is left which engages the affections on the part of the commonwealth. On the principles of this mechanic philosophy, our institutions can never be embodied, if I may use the expression, in persons; so as to create in us love, veneration, admiration, or attachment. But that sort of reason which banishes the affections is incapable of filling their place. These public affections, combined with manners, are required sometimes as supplements, sometimes as correctives, always as aids to law. The precept given by a wise man, as well as a great critic, for the construction of poems, is equally true as to states:—*Non satis est pulchra esse poemata, dulcia sunto.* There ought to be a system of manners in every nation, which a well-formed mind would be disposed to relish. To make us love our country, our country ought to be lovely.

But power, of some kind or other, will survive the shock in which manners and opinions perish; and it will find other and worse means for its support. The usurpation which, in order to subvert ancient institutions, has destroyed ancient principles, will hold power by arts similar to those by which it has acquired it. When the old feudal and chivalrous spirit of *fealty*, which, by freeing kings from fear, freed both kings and subjects from the precautions of tyranny, shall be extinct in the minds of men, plots and assassinations will be anticipated by preventive murder and preventive confiscation, and that long roll of grim and bloody maxims, which form the political code of all power, not standing on its own honour, and the honour of those who are to obey it. Kings will be tyrants from policy, when subjects are rebels from principle.

When ancient opinions and rules of life are taken away,

the loss cannot possibly be estimated. From that moment we have no compass to govern us; nor can we know distinctly to what port we steer. Europe, undoubtedly, taken in a mass, was in a flourishing condition the day on which your revolution was completed. How much of that prosperous state was owing to the spirit of our old manners and opinions is not easy to say; but as such causes cannot be indifferent in their operation, we must presume, that, on the whole, their operation was beneficial.

We are but too apt to consider things in the state in which we find them, without sufficiently adverting to the causes by which they have been produced, and possibly may be upheld. Nothing is more certain, than that our manners, our civilization, and all the good things which are connected with manners and with civilization, have, in this European world of ours, depended for ages upon two principles; and were indeed the result of both combined; I mean the spirit of a gentleman, and the spirit of religion. The nobility and the clergy, the one by profession, the other by patronage, kept learning in existence, even in the midst of arms and confusions, and whilst governments were rather in their causes, than formed. Learning paid back what it received to nobility and to priesthood; and paid it with usury, by enlarging their ideas, and by furnishing their minds. Happy if they had all continued to know their indissoluble union, and their proper place! Happy if learning, not debauched by ambition, had been satisfied to continue the instructor, and not aspired to be the master! Along with its natural protectors and guardians, learning will be cast into the mire, and trodden down under the hoofs of a swinish multitude.[1]

If, as I suspect, modern letters owe more than they are always willing to own to ancient manners, so do other interests which we value full as much as they are worth. Even commerce, and trade, and manufacture, the gods of our economical politicians, are themselves perhaps but creatures; are themselves but effects, which, as first causes, we choose to worship. They certainly grew under the same shade in which learning flourished. They too may decay with their

[1] See the fate of Bailly and Condorcet, supposed to be here particularly alluded to. Compare the circumstances of the trial and execution of the former with this prediction.

natural protecting principles. With you, for the present at least, they all threaten to disappear together. Where trade and manufactures are wanting to a people, and the spirit of nobility and religion remains, sentiment supplies, and not always ill supplies, their place; but if commerce and the arts should be lost in an experiment to try how well a state may stand without these old fundamental principles, what sort of a thing must be a nation of gross, stupid, ferocious, and, at the same time, poor and sordid, barbarians, destitute of religion, honour, or manly pride, possessing nothing at present, and hoping for nothing hereafter?

I wish you may not be going fast, and by the shortest cut, to that horrible and disgustful situation. Already there appears a poverty of conception, a coarseness and vulgarity, in all the proceedings of the Assembly and of all their instructors. Their liberty is not liberal. Their science is presumptuous ignorance. Their humanity is savage and brutal.

It is not clear, whether in England we learned those grand and decorous principles and manners, of which considerable traces yet remain, from you, or whether you took them from us. But to you, I think, we trace them best. You seem to me to be—*gentis incunabula nostræ*. France has always more or less influenced manners in England; and when your fountain is choked up and polluted, the stream will not run long, or not run clear, with us, or perhaps with any nation. This gives all Europe, in my opinion, but too close and connected a concern in what is done in France. Excuse me, therefore, if I have dwelt too long on the atrocious spectacle of the 6th of October, 1789, or have given too much scope to the reflections which have arisen in my mind on occasion of the most important of all revolutions, which may be dated from that day, I mean a revolution in sentiments, manners, and moral opinions. As things now stand, with everything respectable destroyed without us, and an attempt to destroy within us every principle of respect, one is almost forced to apologize for harbouring the common feelings of men.

Why do I feel so differently from the Reverend Dr. Price, and those of his lay flock who will choose to adopt the sentiments of his discourse?—For this plain reason—because it is *natural* I should; because we are so made, as to be affected at such spectacles with melancholy sentiments upon

the unstable condition of mortal prosperity, and the tremendous uncertainty of human greatness; because in those natural feelings we learn great lessons; because in events like these our passions instruct our reason; because when kings are hurled from their thrones by the Supreme Director of this great drama, and become the objects of insult to the base, and of pity to the good, we behold such disasters in the moral, as we should behold a miracle in the physical, order of things. We are alarmed into reflection; our minds (as it has long since been observed) are purified by terror and pity; our weak, unthinking pride is humbled under the dispensations of a mysterious wisdom. Some tears might be drawn from me, if such a spectacle were exhibited on the stage. I should be truly ashamed of finding in myself that superficial, theatric sense of painted distress, whilst I could exult over it in real life. With such a perverted mind, I could never venture to show my face at a tragedy. People would think the tears that Garrick formerly, or that Siddons not long since, have extorted from me, were the tears of hypocrisy; I should know them to be the tears of folly.

Indeed the theatre is a better school of moral sentiments than churches, where the feelings of humanity are thus outraged. Poets who have to deal with an audience not yet graduated in the school of the rights of men, and who must apply themselves to the moral constitution of the heart, would not dare to produce such a triumph as a matter of exultation. There, where men follow their natural impulses, they would not bear the odious maxims of a Machiavelian policy, whether applied to the attainment of monarchical or democratic tyranny. They would reject them on the modern, as they once did on the ancient stage, where they could not bear even the hypothetical proposition of such wickedness in the mouth of a personated tyrant, though suitable to the character he sustained. No theatric audience in Athens would bear what has been borne, in the midst of the real tragedy of this triumphal day; a principal actor weighing, as it were in scales hung in a shop of horrors,—so much actual crime against so much contingent advantage,—and after putting in and out weights, declaring that the balance was on the side of the advantages. They would not bear to see the crimes of new democracy posted as in a ledger against the

crimes of old despotism, and the book-keepers of politics finding democracy still in debt, but by no means unable or unwilling to pay the balance. In the theatre, the first intuitive glance, without any elaborate process of reasoning, will show, that this method of political computation would justify every extent of crime. They would see, that on these principles, even where the very worst acts were not perpetrated, it was owing rather to the fortune of the conspirators, than to their parsimony in the expenditure of treachery and blood. They would soon see, that criminal means once tolerated are soon preferred. They present a shorter cut to the object than through the highway of the moral virtues. Justifying perfidy and murder for public benefit, public benefit would soon become the pretext, and perfidy and murder the end; until rapacity, malice, revenge, and fear more dreadful than revenge, could satiate their insatiable appetites. Such must be the consequences of losing, in the splendour of these triumphs of the rights of men, all natural sense of wrong and right.

But the reverend pastor exults in this "leading in triumph," because truly Louis the Sixteenth was "an arbitrary monarch;" that is, in other words, neither more nor less than because he was Louis the Sixteenth, and because he had the misfortune to be born king of France, with the prerogatives of which, a long line of ancestors, and a long acquiescence of the people, without any act of his, had put him in possession. A misfortune it has indeed turned out to him, that he was born king of France. But misfortune is not crime, nor is indiscretion always the greatest guilt. I shall never think that a prince, the acts of whose whole reign was a series of concessions to his subjects, who was willing to relax his authority, to remit his prerogatives, to call his people to a share of freedom, not known, perhaps not desired, by their ancestors; such a prince, though he should be subjected to the common frailties attached to men and to princes, though he should have once thought it necessary to provide force against the desperate designs manifestly carrying on against his person, and the remnants of his authority; though all this should be taken into consideration, I shall be led with great difficulty to think he deserves the cruel and insulting triumph of Paris, and of Dr. Price. I tremble for

the cause of liberty, from such an example to kings. I tremble for the cause of humanity, in the unpunished outrages of the most wicked of mankind. But there are some people of that low and degenerate fashion of mind, that they look up with a sort of complacent awe and admiration to kings, who know to keep firm in their seat, to hold a strict hand over their subjects, to assert their prerogative, and, by the awakened vigilance of a severe despotism, to guard against the very first approaches of freedom. Against such as these they never elevate their voice. Deserters from principle, listed with fortune, they never see any good in suffering virtue, nor any crime in prosperous usurpation.

If it could have been made clear to me, that the king and queen of France (those I mean who were such before the triumph) were inexorable and cruel tyrants, that they had formed a deliberate scheme for massacring the National Assembly, (I think I have seen something like the latter insinuated in certain publications,) I should think their captivity just. If this be true, much more ought to have been done, but done, in my opinion, in another manner. The punishment of real tyrants is a noble and awful act of justice; and it has with truth been said to be consolatory to the human mind. But if I were to punish a wicked king, I should regard the dignity in avenging the crime. Justice is grave and decorous, and in its punishments rather seems to submit to a necessity, than to make a choice. Had Nero, or Agrippina, or Louis the Eleventh, or Charles the Ninth, been the subject; if Charles the Twelfth of Sweden, after the murder of Patkul, or his predecessor Christina, after the murder of Monaldeschi, had fallen into your hands, Sir, or into mine, I am sure our conduct would have been different.

If the French king, or king of the French, (or by whatever name he is known in the new vocabulary of your constitution,) has in his own person, and that of his queen, really deserved these unavowed, but unavenged, murderous attempts, and those frequent indignities more cruel than murder, such a person would ill deserve even that subordinate executory trust, which I understand is to be placed in him; nor is he fit to be called chief in a nation which he has outraged and oppressed. A worse choice for such an office in a new commonwealth, than that of a deposed

tyrant, could not possibly be made. But to degrade and insult a man as the worst of criminals, and afterwards to trust him in your highest concerns, as a faithful, honest, and zealous servant, is not consistent with reasoning, nor prudent in policy, nor safe in practice. Those who could make such an appointment must be guilty of a more flagrant breach of trust than any they have yet committed against the people. As this is the only crime in which your leading politicians could have acted inconsistently, I conclude that there is no sort of ground for these horrid insinuations. I think no better of all the other calumnies.

In England, we give no credit to them. We are generous enemies: we are faithful allies. We spurn from us with disgust and indignation the slanders of those who bring us their anecdotes with the attestation of the flower-de-luce on their shoulder. We have Lord George Gordon fast in Newgate; and neither his being a public proselyte to Judaism, nor his having, in his zeal against catholic priests and all sorts of ecclesiastics, raised a mob (excuse the term, it is still in use here) which pulled down all our prisons, have preserved to him a liberty, of which he did not render himself worthy by a virtuous use of it. We have rebuilt Newgate, and tenanted the mansion. We have prisons almost as strong as the Bastile, for those who dare to libel the queens of France. In this spiritual retreat, let the noble libeller remain. Let him there meditate on his Thalmud, until he learns a conduct more becoming his birth and parts, and not so disgraceful to the ancient religion to which he has become a proselyte; or until some persons from your side of the water, to please your new Hebrew brethren, shall ransom him. He may then be enabled to purchase, with the old boards of the synagogue, and a very small poundage on the long compound interest of the thirty pieces of silver, (Dr. Price has shown us what miracles compound interest will perform in 1790 years,) the lands which are lately discovered to have been usurped by the Gallican church. Send us your Popish archbishop of Paris, and we will send you our Protestant Rabbin. We shall treat the person you send us in exchange like a gentleman and an honest man, as he is; but pray let him bring with him the fund of his hospitality, bounty, and charity; and, depend upon it, we shall

never confiscate a shilling of that honourable and pious fund, nor think of enriching the treasury with the spoils of the poor-box.

To tell you the truth, my dear Sir, I think the honour of our nation to be somewhat concerned in the disclaimer of the proceedings of this society of the Old Jewry and the London Tavern. I have no man's proxy. I speak only for myself, when I disclaim, as I do with all possible earnestness, all communion with the actors in that triumph, or with the admirers of it. When I assert anything else, as concerning the people of England, I speak from observation, not from authority; but I speak from the experience I have had in a pretty extensive and mixed communication with the inhabitants of this kingdom, of all descriptions and ranks, and after a course of attentive observation, began early in life, and continued for nearly forty years. I have often been astonished, considering that we are divided from you but by a slender dyke of about twenty-four miles, and that the mutual intercourse between the two countries has lately been very great, to find how little you seem to know of us. I suspect that this is owing to your forming a judgment of this nation from certain publications, which do, very erroneously, if they do at all, represent the opinions and dispositions generally prevalent in England. The vanity, restlessness, petulance, and spirit of intrigue, of several petty cabals, who attempt to hide their total want of consequence in bustle and noise, and puffing, and mutual quotation of each other, makes you imagine that our contemptuous neglect of their abilities is a mark of general acquiescence in their opinions. No such thing, I assure you. Because half a dozen grasshoppers under a fern make the field ring with their importunate chink, whilst thousands of great cattle, reposed beneath the shadow of the British oak, chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that, of course, they are many in number; or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome, insects of the hour.

I almost venture to affirm, that not one in a hundred amongst us participates in the "triumph" of the Revolution Society. If the king and queen of France, and their chil-

dren, were to fall into our hands by the chance of war, in the most acrimonious of all hostilities, (I deprecate such an event, I deprecate such hostility,) they would be treated with another sort of triumphal entry into London. We formerly have had a king of France in that situation; you have read how he was treated by the victor in the field; and in what manner he was afterwards received in England. Four hundred years have gone over us; but I believe we are not materially changed since that period. Thanks to our sullen resistance to innovation, thanks to the cold sluggishness of our national character, we still bear the stamp of our forefathers. We have not (as I conceive) lost the generosity and dignity of thinking of the fourteenth century; nor as yet have we subtilized ourselves into savages. We are not the converts of Rousseau; we are not the disciples of Voltaire; Helvetius has made no progress amongst us. Atheists are not our preachers; madmen are not our lawgivers. We know that *we* have made no discoveries, and we think that no discoveries are to be made, in morality; nor many in the great principles of government, nor in the ideas of liberty, which were understood long before we were born, altogether as well as they will be after the grave has heaped its mould upon our presumption, and the silent tomb shall have imposed its law on our pert loquacity. In England we have not yet been completely embowelled of our natural entrails; we still feel within us, and we cherish and cultivate, those inbred sentiments which are the faithful guardians, the active monitors of our duty, the true supporters of all liberal and manly morals. We have not been drawn and trussed, in order that we may be filled, like stuffed birds in a museum, with chaff and rags and paltry blurred shreds of paper about the rights of man. We preserve the whole of our feelings still native and entire, unsophisticated by pedantry and infidelity. We have real hearts of flesh and blood beating in our bosoms. We fear God; we look up with awe to kings; with affection to parliaments; with duty to magistrates; with reverence to priests; and with respect to nobility.[1]

[1] The English are, I conceive, misrepresented in a letter published in one of the papers, by a gentleman thought to be a dissenting minister.—When writing to Dr. Price of the spirit which prevails at Paris, he says, "The spirit of the people in this place has abolished all the proud *distinc-*

Why? Because when such ideas are brought before our minds, it is *natural* to be so affected; because all other feelings are false and spurious, and tend to corrupt our minds, to vitiate our primary morals, to render us unfit for rational liberty; and by teaching us a servile, licentious, and abandoned insolence, to be our low sport for a few holidays, to make us perfectly fit for, and justly deserving of, slavery, through the whole course of our lives.

You see, Sir, that in this enlightened age I am bold enough to confess, that we are generally men of untaught feelings; that instead of casting away all our old prejudices, we cherish them to a very considerable degree, and, to take more shame to ourselves, we cherish them because they are prejudices; and the longer they have lasted, and the more generally they have prevailed, the more we cherish them. We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that this stock in each man is small, and that the individuals would do better to avail themselves of the general bank and capital of nations and of ages. Many of our men of speculation, instead of exploding general prejudices, employ their sagacity to discover the latent wisdom which prevails in them. If they find what they seek, and they seldom fail, they think it more wise to continue the prejudice, with the reason involved, than to cast away the coat of prejudice, and to leave nothing but the naked reason; because prejudice, with its reason, has a motive to give action to that reason, and an affection which will give it permanence. Prejudice is of ready application in the emergency; it previously engages the mind in a steady course of wisdom and virtue, and does not leave the man hesitating in the moment of decision, sceptical, puzzled, and unresolved. Prejudice renders a man's virtue his habit; and not a series of unconnected acts. Through just prejudice, his duty becomes a part of his nature.

Your literary men, and your politicians, and so do the whole clan of the enlightened among us, essentially differ in

tions which the *king* and *nobles* had usurped in their minds; whether they talk of *the king, the noble, or the priest*, their whole language is that of the most *enlightened and liberal amongst the English.*" If this gentleman means to confine the terms *enlightened and liberal* to one se of men in England, it may be true. It is not generally so.

these points. They have no respect for the wisdom of others; but they pay it off by a very full measure of confidence in their own. With them it is a sufficient motive to destroy an old scheme of things, because it is an old one. As to the new, they are in no sort of fear with regard to the duration of a building run up in haste; because duration is no object to those who think little or nothing has been done before their time, and who place all their hopes in discovery. They conceive, very systematically, that all things which give perpetuity are mischievous, and therefore they are at inexpiable war with all establishments. They think that government may vary like modes of dress, and with as little ill effect: that there needs no principle of attachment, except a sense of present conveniency, to any constitution of the state. They always speak as if they were of opinion that there is a singular species of compact between them and their magistrates, which binds the magistrate, but which has nothing reciprocal in it, but that the majesty of the people has a right to dissolve it without any reason, but its will. Their attachment to their country itself is only so far as it agrees with some of their fleeting projects; it begins and ends with that scheme of polity which falls in with their momentary opinion.

These doctrines, or rather sentiments, seem prevalent with your new statesmen. But they are wholly different from those on which we have always acted in this country.

I hear it is sometimes given out in France, that what is doing among you is after the example of England. I beg leave to affirm, that scarcely anything done with you has originated from the practice or the prevalent opinions of this people, either in the act or in the spirit of the proceeding. Let me add, that we are as unwilling to learn these lessons from France, as we are sure that we never taught them to that nation. The cabals here, who take a sort of share in your transactions, as yet consist of but a handful of people. If unfortunately by their intrigues, their sermons, their publications, and by a confidence derived from an expected union with the counsels and forces of the French nation, they should draw considerable numbers into their faction, and in consequence should seriously attempt anything here in imitation of what has been done with you, the event, I dare venture to prophesy, will be, that, with some trouble to their country,

they will soon accomplish their own destruction. This people refused to change their law in remote ages from respect to the infallibility of popes; and they will not now alter it from a pious implicit faith in the dogmatism of philosophers; though the former was armed with the anathema and crusade, and though the latter should act with the libel and the lamp-iron.

Formerly your affairs were your own concern only. We felt for them as men; but we kept aloof from them, because we were not citizens of France. But when we see the model held up to ourselves, we must feel as Englishmen, and feeling, we must provide as Englishmen. Your affairs, in spite of us, are made a part of our interest; so far at least as to keep at a distance your panacea, or your plague. If it be a panacea, we do not want it. We know the consequences of unnecessary physic. If it be a plague, it is such a plague that the precautions of the most severe quarantine ought to be established against it.

I hear on all hands that a cabal, calling itself philosophic, receives the glory of many of the late proceedings; and that their opinions and systems are the true actuating spirit of the whole of them. I have heard of no party in England, literary or political, at any time, known by such a description. It is not with you composed of those men, is it? whom the vulgar, in their blunt, homely style, commonly call atheists and infidels? If it be, I admit that we too have had writers of that description, who made some noise in their day. At present they repose in lasting oblivion. Who, born within the last forty years, has read one word of Collins, and Toland, and Tindal, and Chubb, and Morgan, and that whole race who called themselves Freethinkers? Who now reads Bolingbroke? Who ever read him through? Ask the booksellers of London what is become of all these lights of the world. In as few years their few successors will go to the family vault of "all the Capulets." But whatever they were, or are, with us, they were and are wholly unconnected individuals. With us they kept the common nature of their kind, and were not gregarious. They never acted in corps, or were known as a faction in the state, nor presumed to influence in that name or character, or for the purposes of such a faction, on any of our public concerns. Whether they

ought so to exist, and so be permitted to act, is another question. As such cabals have not existed in England, so neither has the spirit of them had any influence in establishing the original frame of our constitution, or in any one of the several reparations and improvements it has undergone. The whole has been done under the auspices, and is confirmed by the sanctions, of religion and piety. The whole has emanated from the simplicity of our national character, and from a sort of native plainness and directness of understanding, which for a long time characterized those men who have successively obtained authority amongst us. This disposition still remains; at least in the great body of the people.

We know, and what is better, we feel inwardly, that religion is the basis of civil society, and the source of all good and of all comfort.[1] In England we are so convinced of this, that there is no rust of superstition, with which the accumulated absurdity of the human mind might have crusted it over in the course of ages, that ninety-nine in a hundred of the people of England would not prefer to impiety. We shall never be such fools as to call in an enemy to the substance of any system to remove its corruptions, to supply its defects, or to perfect its construction. If our religious tenets should ever want a further elucidation, we shall not call on atheism to explain them. We shall not light up our temple from that unhallowed fire. It will be illuminated with other lights. It will be perfumed with other incense, than the infectious stuff which is imported by the smugglers of adulterated metaphysics. If our ecclesiastical establishment should want a revision, it is not avarice or rapacity, public or private, that we shall employ for the audit, or receipt, or application of its consecrated revenue. Violently condemning neither the Greek nor the Armenian, nor, since heats are subsided, the Roman system of religion, we prefer the Protestant; not because we think it has less of the Christian religion in it,

[1] Sit igitur hoc ab initio persuasum civibus, dominos esse omnium rerum ac moderatores, deos; eaque, quæ gerantur, eorum geri vi, ditione, ac numine; eosdemque optime de genere hominum mereri; et qualis quisque sit, quid agat, quid in se admittat, qua mente, qua pietate colat religiones intueri; piorum et impiorum habere rationem. His enim rebus imbutæ mentes haud sane abhorrebunt ab utili et à vera sententia. **Cic. de Legibus, l. 2.**

but because, in our judgment, it has more. We are Protestants, not from indifference, but from zeal.

We know, and it is our pride to know, that man is by his constitution a religious animal; that atheism is against, not only our reason, but our instincts; and that it cannot prevail long. But if, in the moment of riot, and in a drunken delirium from the hot spirit drawn out of the alembic of hell, which in France is now so furiously boiling, we should uncover our nakedness, by throwing off that Christian religion which has hitherto been our boast and comfort, and one great source of civilization amongst us, and amongst many other nations, we are apprehensive (being well aware that the mind will not endure a void) that some uncouth, pernicious, and degrading superstition might take place of it.

For that reason, before we take from our establishment the natural, human means of estimation, and give it up to contempt, as you have done, and in doing it have incurred the penalties you well deserve to suffer, we desire that some other may be presented to us in the place of it. We shall then form our judgment.

On these ideas, instead of quarrelling with establishments, as some do, who have made a philosophy and a religion of their hostility to such institutions, we cleave closely to them. We are resolved to keep an established church, an established monarchy, an established aristocracy, and an established democracy, each in the degree it exists, and in no greater. I shall show you presently how much of each of these we possess.

It has been the misfortune (not, as these gentlemen think it, the glory) of this age, that everything is to be discussed, as if the constitution of our country were to be always a subject rather of altercation, than enjoyment. For this reason, as well as for the satisfaction of those among you (if any such you have among you) who may wish to profit of examples, I venture to trouble you with a few thoughts upon each of these establishments. I do not think they were unwise in ancient Rome, who, when they wished to new-model their laws, set commissioners to examine the best constituted republics within their reach.

First, I beg leave to speak of our church establishment, which is the first of our prejudices, not a prejudice destitute

of reason, but involving in it profound and extensive wisdom. I speak of it first. It is first, and last, and midst in our minds. For, taking ground on that religious system, of which we are now in possession, we continue to act on the early received and uniformly continued sense of mankind. That sense not only, like a wise architect, hath built up the august fabric of states, but like a provident proprietor, to preserve the structure from profanation and ruin, as a sacred temple purged from all the impurities of fraud, and violence, and injustice, and tyranny, hath solemnly and for ever consecrated the commonwealth, and all that officiate in it. This consecration is made, that all who administer in the government of men, in which they stand in the person of God himself, should have high and worthy notions of their function and destination; that their hope should be full of immortality; that they should not look to the paltry pelf of the moment, nor to the temporary and transient praise of the vulgar, but to a solid, permanent existence, in the permanent part of their nature, and to a permanent fame and glory, in the example they leave as a rich inheritance to the world.

Such sublime principles ought to be infused into persons of exalted situations; and religious establishments provided, that may continually revive and enforce them. Every sort of moral, every sort of civil, every sort of politic institution, aiding the rational and natural ties that connect the human understanding and affections to the divine, are not more than necessary, in order to build up that wonderful structure, Man; whose prerogative it is, to be in a great degree a creature of his own making; and who, when made as he ought to be made, is destined to hold no trivial place in the creation. But whenever man is put over men, as the better nature ought ever to preside, in that case more particularly, he should as nearly as possible be approximated to his perfection.

The consecration of the state, by a state religious establishment, is necessary also to operate with a wholesome awe upon free citizens; because, in order to secure their freedom, they must enjoy some determinate portion of power. To them therefore a religion connected with the state, and with their duty towards it, becomes even more necessary than in such societies, where the people, by the terms of their sub-

jection, are confined to private sentiments, and the management of their own family concerns. All persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in trust: and that they are to account for their conduct in that trust to the one great Master, Author, and Founder of society.

This principle ought even to be more strongly impressed upon the minds of those who compose the collective sovereignty, than upon those of single princes. Without instruments, these princes can do nothing. Whoever uses instruments, in finding helps, finds also impediments. Their power is therefore by no means complete; nor are they safe in extreme abuse. Such persons, however elevated by flattery, arrogance, and self-opinion, must be sensible, that, whether covered or not by positive law, in some way or other they are accountable even here for the abuse of their trust. If they are not cut off by a rebellion of their people, they may be strangled by the very janissaries kept for their security against all other rebellion. Thus we have seen the king of France sold by his soldiers for an increase of pay. But where popular authority is absolute and unrestrained, the people have an infinitely greater, because a far better founded, confidence in their own power. They are themselves, in a great measure, their own instruments. They are nearer to their objects. Besides, they are less under responsibility to one of the greatest controlling powers on earth, the sense of fame and estimation. The share of infamy, that is likely to fall to the lot of each individual in public acts, is small indeed; the operation of opinion being in the inverse ratio to the number of those who abuse power. Their own approbation of their own acts has to them the appearance of a public judgment in their favour. A perfect democracy is therefore the most shameless thing in the world. As it is the most shameless, it is also the most fearless. No man apprehends in his person that he can be made subject to punishment. Certainly the people at large never ought: for as all punishments are for example towards the conservation of the people at large, the people at large can never become the subject of punishment by any human hand.[1] It is therefore of infinite importance that they should not be suffered

[1] Quicquid multis peccatur inultum.

to imagine that their will, any more than that of kings, is the standard of right and wrong. They ought to be persuaded that they are full as little entitled, and far less qualified, with safety to themselves, to use any arbitrary power whatsoever; that therefore they are not, under a false show of liberty, but in truth, to exercise an unnatural, inverted domination, tyrannically to exact, from those who officiate in the state, not an entire devotion to their interest, which is their right, but an abject submission to their occasional will; extinguishing thereby, in all those who serve them, all moral principle, all sense of dignity, all use of judgment, and all consistency of character; whilst by the very same process they give themselves up a proper, a suitable, but a most contemptible prey to the servile ambition of popular sycophants, or courtly flatterers.

When the people have emptied themselves of all the lust of selfish will, which without religion it is utterly impossible they ever should, when they are conscious that they exercise, and exercise perhaps in a higher link of the order of delegation, the power, which to be legitimate must be according to that eternal, immutable law, in which will and reason are the same, they will be more careful how they place power in base and incapable hands. In their nomination to office, they will not appoint to the exercise of authority, as to a pitiful job, but as to a holy function; not according to their sordid, selfish interest, nor to their wanton caprice, nor to their arbitrary will; but they will confer that power (which any man may well tremble to give or to receive) on those only, in whom they may discern that predominant proportion of active virtue and wisdom, taken together and fitted to the charge, such, as in the great and inevitable mixed mass of human imperfections and infirmities, is to be found.

When they are habitually convinced that no evil can be acceptable, either in the act or the permission, to him whose essence is good, they will be better able to extirpate out of the minds of all magistrates, civil, ecclesiastical, or military, anything that bears the least resemblance to a proud and lawless domination.

But one of the first and most leading principles on which the commonwealth and the laws are consecrated, is lest the

temporary possessors and life-renters in it, unmindful of what they have received from their ancestors, or of what is due to their posterity, should act as if they were the entire masters; that they should not think it among their rights to cut off the entail, or commit waste on the inheritance, by destroying at their pleasure the whole original fabric of their society; hazarding to leave to those who come after them a ruin instead of an habitation—and teaching these successors as little to respect their contrivances, as they had themselves respected the institutions of their forefathers. By this unprincipled facility of changing the state as often, and as much, and in as many ways, as there are floating fancies or fashions, the whole chain and continuity of the commonwealth would be broken. No one generation could link with the other. Men would become little better than the flies of a summer.

And first of all, the science of jurisprudence, the pride of the human intellect, which, with all its defects, redundancies, and errors, is the collected reason of ages, combining the principles of original justice with the infinite variety of human concerns, as a heap of old exploded errors, would be no longer studied. Personal self-sufficiency and arrogance (the certain attendants upon all those who have never experienced a wisdom greater than their own) would usurp the tribunal. Of course no certain laws, establishing invariable grounds of hope and fear, would keep the actions of men in a certain course, or direct them to a certain end. Nothing stable in the modes of holding property, or exercising function, could form a solid ground on which any parent could speculate in the education of his offspring, or in a choice for their future establishment in the world. No principles would be early worked into the habits. As soon as the most able instructor had completed his laborious course of institution, instead of sending forth his pupil, accomplished in a virtuous discipline, fitted to procure him attention and respect, in his place in society, he would find everything altered; and that he had turned out a poor creature to the contempt and derision of the world, ignorant of the true grounds of estimation. Who would insure a tender and delicate sense of honour to beat almost with the first pulses of the heart, when no man could know what would be the test of honour in a nation, continually varying the standard of its coin?

No part of life would retain its acquisitions. Barbarism with regard to science and literature, unskilfulness with regard to arts and manufactures, would infallibly succeed to the want of a steady education and settled principle; and thus the commonwealth itself would, in a few generations, crumble away, be disconnected into the dust and powder of individuality, and at length dispersed to all the winds of heaven.

To avoid therefore the evils of inconstancy and versatility, ten thousand times worse than those of obstinacy and the blindest prejudice, we have consecrated the state, that no man should approach to look into its defects or corruptions but with due caution; that he should never dream of beginning its reformation by its subversion; that he should approach to the faults of the state as to the wounds of a father, with pious awe and trembling solicitude. By this wise prejudice we are taught to look with horror on those children of their country, who are prompt rashly to hack that aged parent in pieces, and put him into the kettle of magicians, in hopes that by their poisonous weeds, and wild incantations, they may regenerate the paternal constitution, and renovate their father's life.

Society is indeed a contract. Subordinate contracts for objects of mere occasional interest may be dissolved at pleasure —but the state ought not to be considered as nothing better than a partnership agreement in a trade of pepper and coffee, calico or tobacco, or some other such low concern, to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties. It is to be looked on with other reverence; because it is not a partnership in things subservient only to the gross animal existence of a temporary and perishable nature. It is a partnership in all science; a partnership in all art; a partnership in every virtue, and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is but a clause in the great primæval contract of eternal society, linking the lower with the higher natures, connecting the visible and invisible world, according to a fixed compact sanctioned by the inviolable oath which holds all physi-

cal and all moral natures, each in their appointed place. This law is not subject to the will of those, who by an obligation above them, and infinitely superior, are bound to submit their will to that law. The municipal corporations of that universal kingdom are not morally at liberty at their pleasure, and on their speculations of a contingent improvement, wholly to separate and tear asunder the bands of their subordinate community, and to dissolve it into an unsocial, uncivil, unconnected chaos of elementary principles. It is the first and supreme necessity only, a necessity that is not chosen, but chooses, a necessity paramount to deliberation, that admits no discussion, and demands no evidence, which alone can justify a resort to anarchy. This necessity is no exception to the rule; because this necessity itself is a part too of that moral and physical disposition of things, to which man must be obedient by consent or force: but if that which is only submission to necessity should be made the object of choice, the law is broken, nature is disobeyed, and the rebellious are outlawed, cast forth, and exiled, from this world of reason, and order, and peace, and virtue, and fruitful penitence, into the antagonist world of madness, discord, vice, confusion, and unavailing sorrow.

These, my dear Sir, are, were, and, I think, long will be, the sentiments of not the least learned and reflecting part of this kingdom. They, who are included in this description, form their opinions on such grounds as such persons ought to form them. The less inquiring receive them from an authority, which those whom Providence dooms to live on trust need not be ashamed to rely on. These two sorts of men move in the same direction, though in a different place. They both move with the order of the universe. They all know or feel this great ancient truth: "Quod illi principi et præpotenti Deo qui omnem hunc mundum regit, nihil eorum quæ quidem fiant in terris acceptius quam concilia et cœtus hominum jure sociati quæ civitates appellantur." They take this tenet of the head and heart, not from the great name which it immediately bears, nor from the greater from whence it is derived; but from that which alone can give true weight and sanction to any learned opinion, the common nature and common relation of men. Persuaded that all things ought to be done with reference, and refer-

ring all to the point of reference to which all should be directed, they think themselves bound, not only as individuals in the sanctuary of the heart, or as congregated in that personal capacity, to renew the memory of their high origin and cast; but also in their corporate character to perform their national homage to the institutor, and author, and protector of civil society; without which civil society man could not by any possibility arrive at the perfection of which his nature is capable, nor even make a remote and faint approach to it. They conceive that He who gave our nature to be perfected by our virtue, willed also the necessary means of its perfection.—He willed therefore the state—He willed its connexion with the source and original archetype of all perfection. They who are convinced of this his will, which is the law of laws, and the sovereign of sovereigns, cannot think it reprehensible that this our corporate fealty and homage, that this our recognition of a signiory paramount, I had almost said this oblation of the state itself, as a worthy offering on the high altar of universal praise, should be performed as all public, solemn acts are performed, in buildings, in music, in decoration, in speech, in the dignity of persons, according to the customs of mankind, taught by their nature; this is, with modest splendour and unassuming state, with mild majesty and sober pomp. For those purposes they think some part of the wealth of the country is as usefully employed as it can be in fomenting the luxury of individuals. It is the public ornament. It is the public consolation. It nourishes the public hope. The poorest man finds his own importance and dignity in it, whilst the wealth and pride of individuals at every moment makes the man of humble rank and fortune sensible of his inferiority, and degrades and vilifies his condition. It is for the man in humble life, and to raise his nature, and to put him in mind of a state in which the privileges of opulence will cease, when he will be equal by nature, and may be more than equal by virtue, that this portion of the general wealth of his country is employed and sanctified.

I assure you I do not aim at singularity. I give you opinions which have been accepted amongst us, from very early times to this moment, with a continued and general approbation, and which indeed are so worked into my mind,

that I am unable to distinguish what I have learned from others from the results of my own meditation.

It is on some such principles that the majority of the people of England, far from thinking a religious national establishment unlawful, hardly think it lawful to be without one. In France you are wholly mistaken if you do not believe us above all other things attached to it, and beyond all other nations; and when this people has acted unwisely and unjustifiably in its favour, (as in some instances they have done most certainly,) in their very errors you will at least discover their zeal.

This principle runs through the whole system of their polity. They do not consider their church establishment as convenient, but as essential to their state; not as a thing heterogeneous and separable; something added for accommodation; what they may either keep or lay aside, according to their temporary ideas of convenience. They consider it as the foundation of their whole constitution, with which, and with every part of which, it holds an indissoluble union. Church and state are ideas inseparable in their minds, and scarcely is the one ever mentioned without mentioning the other.

Our education is so formed as to confirm and fix this impression. Our education is in a manner wholly in the hands of ecclesiastics, and in all stages from infancy to manhood. Even when our youth, leaving schools and universities, enter that most important period of life which begins to link experience and study together, and when with that view they visit other countries, instead of old domestics whom we have seen as governors to principal men from other parts, three-fourths of those who go abroad with our young nobility and gentlemen are ecclesiastics; not as austere masters, nor as mere followers; but as friends and companions of a graver character, and not seldom persons as well born as themselves. With them, as relations, they most constantly keep up a close connexion through life. By this connexion we conceive that we attach our gentlemen to the church; and we liberalize the church by an intercourse with the leading characters of the country.

So tenacious are we of the old ecclesiastical modes and fashions of institution, that very little alteration has been

made in them since the fourteenth or fifteenth century: adhering in this particular, as in all things else, to our old settled maxim, never entirely nor at once to depart from antiquity. We found these old institutions, on the whole, favourable to morality and discipline; and we thought they were susceptible of amendment, without altering the ground. We thought that they were capable of receiving and meliorating, and above all of preserving, the accessions of science and literature, as the order of Providence should successively produce them. And after all, with this Gothic and monkish education (for such it is in the ground-work) we may put in our claim to as ample and as early a share in all the improvements in science, in arts, and in literature, which have illuminated and adorned the modern world, as any other nation in Europe: we think one main cause of this improvement was our not despising the patrimony of knowledge which was left us by our forefathers.

It is from our attachment to a church establishment, that the English nation did not think it wise to intrust that great, fundamental interest of the whole to what they trust no part of their civil or military public service, that is, to the unsteady and precarious contribution of individuals. They go further. They certainly never have suffered, and never will suffer, the fixed estate of the church to be converted into a pension, to depend on the treasury, and to be delayed, withheld, or perhaps to be extinguished, by fiscal difficulties: which difficulties may sometimes be pretended for political purposes, and are in fact often brought on by the extravagance, negligence, and rapacity of politicians. The people of England think that they have constitutional motives, as well as religious, against any project of turning their independent clergy into ecclesiastical pensioners of state. They tremble for their liberty, from the influence of a clergy dependent on the crown; they tremble for the public tranquillity from the disorders of a factious clergy, if it were made to depend upon any other than the crown. They therefore made their church, like their king and their nobility, independent.

From the united considerations of religion and constitutional policy, from their opinion of a duty to make sure provision for the consolation of the feeble and the instruction

of the ignorant, they have incorporated and identified the estate of the church with the mass of *private property*, of which the state is not the proprietor, either for use or dominion, but the guardian only and the regulator. They have ordained that the provision of this establishment might be as stable as the earth on which it stands, and should not fluctuate with the Euripus of funds and actions.

The men of England, the men, I mean, of light and leading in England, whose wisdom (if they have any) is open and direct, would be ashamed, as of a silly, deceitful trick, to profess any religion in name, which, by their proceedings, they appear to contemn. If by their conduct (the only language that rarely lies) they seemed to regard the great ruling principle of the moral and the natural world, as a mere invention to keep the vulgar in obedience, they apprehend that by such a conduct they would defeat the politic purpose they have in view. They would find it difficult to make others believe in a system to which they manifestly give no credit themselves. The Christian statesmen of this land would indeed first provide for the *multitude;* because it is the *multitude;* and is therefore, as such, the first object in the ecclesiastical institution, and in all institutions. They have been taught, that the circumstance of the gospel's being preached to the poor, was one of the great tests of its true mission. They think, therefore, that those do not believe it, who do not take care it should be preached to the poor. But as they know that charity is not confined to any one description, but ought to apply itself to all men who have wants, they are not deprived of a due and anxious sensation of pity to the distresses of the miserable great. They are not repelled through a fastidious delicacy, at the stench of their arrogance and presumption, from a medicinal attention to their mental blotches and running sores. They are sensible, that religious instruction is of more consequence to them than to any others; from the greatness of the temptation to which they are exposed; from the important consequences that attend their faults; from the contagion of their ill example; from the necessity of bowing down the stubborn neck of their pride and ambition to the yoke of moderation and virtue; from a consideration of the fat stupidity and gross ignorance concerning what imports men most to know,

which prevails at courts, and at the head of armies, and in senates, as much as at the loom and in the field.

The English people are satisfied, that to the great the consolations of religion are as necessary as its instructions. They too are among the unhappy. They feel personal pain, and domestic sorrow. In these they have no privilege, but are subject to pay their full contingent to the contributions levied on mortality. They want this sovereign balm under their gnawing cares and anxieties, which, being less conversant about the limited wants of animal life, range without limit, and are diversified by infinite combinations, in the wild and unbounded regions of imagination. Some charitable dole is wanting to these, our often very unhappy brethren, to fill the gloomy void that reigns in minds which have nothing on earth to hope or fear; something to relieve in the killing languor and over-laboured lassitude of those who have nothing to do; something to excite an appetite to existence in the palled satiety which attends on all pleasures which may be bought, where nature is not left to her own process, where even desire is anticipated, and therefore fruition defeated by meditated schemes and contrivances of delight; and no interval, no obstacle, is interposed between the wish and the accomplishment.

The people of England know how little influence the teachers of religion are likely to have with the wealthy and powerful of long standing, and how much less with the newly fortunate, if they appear in a manner no way assorted to those with whom they must associate, and over whom they must even exercise, in some cases, something like an authority. What must they think of that body of teachers, if they see it in no part above the establishment of their domestic servants? If the poverty were voluntary, there might be some difference. Strong instances of self-denial operate powerfully on our minds; and a man who has no wants has obtained great freedom, and firmness, and even dignity. But as the mass of any description of men are but men, and their poverty cannot be voluntary, that disrespect, which attends upon all lay poverty, will not depart from the ecclesiastical. Our provident constitution has therefore taken care that those who are to instruct presumptuous ignorance, those who are to be censors over insolent vice, should neither incur

their contempt, nor live upon their alms; nor will it tempt the rich to a neglect of the true medicine of their minds. For these reasons, whilst we provide first for the poor, and with a parental solicitude, we have not relegated religion (like something we were ashamed to show) to obscure municipalities, or rustic villages. No! we will have her to exalt her mitred front in courts and parliaments. We will have her mixed throughout the whole mass of life, and blended with all the classes of society. The people of England will show to the haughty potentates of the world, and to their talking sophisters, that a free, a generous, an informed nation honours the high magistrates of its church; that it will not suffer the insolence of wealth and titles, or any other species of proud pretension, to look down with scorn upon what they look up to with reverence; nor presume to trample on that acquired personal nobility, which they intend always to be, and which often is, the fruit, not the reward, (for what can be the reward?) of learning, piety, and virtue. They can see, without pain or grudge, an archbishop precede a duke. They can see a bishop of Durham, or a bishop of Winchester, in possession of [illegible] thousand pounds a year; and cannot conceive why [illegible] worse hands than estates to the like amount in the [illegible] this earl, or that squire; although it may be true, that many dogs and horses are not kept by the former, and with the victuals which ought to nourish the children of people. It is true, the whole church revenue is not employed, and to every shilling, in charity; nor [illegible] ought it; but something is generally so employed. It is better to cherish virtue and humanity, by leaving much to free will, even with some loss to the object, than to attempt to make men mere machines and instruments of a political benevolence. The world on the whole will gain by a liberty, without which virtue cannot exist.

When once the commonwealth has established the estates of the church as property, it can, consistently, hear nothing of the more or the less. Too much and too little are treason against property. What evil can arise from the quantity in any hand, whilst the supreme authority has the full, sovereign superintendence over this, as over all property, to pre-

vent every species of abuse; and, whenever it notably deviates, to give to it a direction agreeable to the purposes of its institution.

In England most of us conceive that it is envy and malignity towards those who are often the beginners of their own fortune, and not a love of the self-denial and mortification of the ancient church, that makes some look askance at the distinctions, and honours, and revenues, which, taken from no person, are set apart for virtue. The ears of the people of England are distinguishing. They hear these men speak broad. Their tongue betrays them. Their language is in the *patois* of fraud; in the cant and gibberish of hypocrisy. The people of England must think so, when these praters affect to carry back the clergy to that primitive, evangelic poverty, which, in the spirit, ought always to exist in them, (and in us too, however we may like it,) but in the thing must be varied, when the relation of that body to the state is altered; when manners, when modes of life, when indeed the whole order of human affairs, has undergone a total revolution. We shall believe those reformers then to be honest enthusiasts, not, as now we think them, cheats and deceivers, when we see them throwing their own goods into common, and submitting their own persons to the austere discipline of the early church.

With these ideas rooted in their minds, the Commons of Great Britain, in the national emergencies, will never look for their resource from the confiscation of the estates of the church and poor. Sacrilege and proscription are not among the ways and means of our committee of supply. The Jews in Change Alley have not yet dared to hint at their hopes of a mortgage on the revenues belonging to the see of Canterbury. I am not afraid that I shall be disavowed, when I assure you, that there is not *one* public man in this kingdom, whom you would wish to quote, no not one, of any party or description, who does not reprobate the dishonest, perfidious, and cruel confiscation which the National Assembly has been compelled to make of that property, which it was their first duty to protect.

It is with the exultation of a little national pride I tell you, that those amongst us who have wished to pledge the

societies of Paris in the cup of their abominations have been disappointed. The robbery of your church has proved a security to the possessions of ours. It has roused the people. They see with horror and alarm that enormous and shameless act of proscription. It has opened, and will more and more open, their eyes upon the selfish enlargement of mind, and the narrow liberality of sentiment, of insidious men, which, commencing in close hypocrisy and fraud, have ended in open violence and rapine. At home we behold similar beginnings. We are on our guard against similar conclusions.

I hope we shall never be so totally lost to all sense of the duties imposed upon us by the law of social union, as, upon any pretext of public service, to confiscate the goods of a single unoffending citizen. Who but a tyrant (a name expressive of everything which can vitiate and degrade human nature) could think of seizing on the property of men, unaccused, unheard, untried, by whole descriptions, by hundreds and thousands together? Who, that had not lost every trace of humanity, could think of casting down men of exalted rank and sacred function, some of th[illegible] to call at once for reverence and compassion [illegible] down from the highest situation in t[illegible] wherein they were maintained by their own [illegible] to a state of indigence, depression, and contempt [illegible]

The confiscators truly have made some allowance to their victims from the scraps and fragments of their own tables, from which they have been so harshly driven, and which have been so bountifully spread for a feast to the harpies of usury. But to drive men from independence to live on alms, is itself great cruelty. That which might be a tolerable condition to men in one state of life, and not habituated to other things, may, when all these circumstances are altered, be a dreadful revolution; and one to which a virtuous mind would feel pain in condemning any guilt, except that which would demand the life of the offender. But to many minds this punishment of *degradation* and *infamy* is worse than death. Undoubtedly it is an infinite aggravation of this cruel suffering, that the persons who were taught a double prejudice in favour of religion, by education, and by the place they held in the administration of its functions, are to receive the remnants of their property as alms from the profane and im-

pious hands of those who had plundered them of all the rest; to receive (if they are at all to receive) not from the charitable contributions of the faithful, but from the insolent tenderness of known and avowed atheism, the maintenance of religion, measured out to them on the standard of the contempt in which it is held; and for the purpose of rendering those who receive the allowance vile, and of no estimation, in the eyes of mankind.

But this act of seizure of property, it seems, is a judgment in law, and not a confiscation. They have, it seems, found out in the academies of the *Palais Royal*, and the *Jacobins*, that certain men had no right to the possessions which they held under law, usage, the decisions of courts, and the accumulated prescription of a thousand years. They say that ecclesiastics are fictitious persons, creatures of the state, whom at pleasure they may destroy, and of course limit and modify in every particular; that the goods they possess are not properly theirs, but belong to the state which created the fiction; and we are therefore not to trouble ourselves with what [illegible] may suffer in their natural feelings and natural account of what is done towards them in [illegible]ctive character. Of what import is it [illegible]s you injure men, and deprive them of the [illegible]ments of a profession, in which they were not only permitted but encouraged by the state to engage; and upon the supposed certainty of which emoluments they had formed the plan of their lives, contracted debts, and led multitudes to an entire dependence upon them?

You do not imagine, Sir, that I am going to compliment this miserable distinction of persons with any long discussion. The arguments of tyranny are as contemptible as its force is dreadful. Had not your confiscators, by their early crimes, obtained a power which secures indemnity to all the crimes of which they have since been guilty, or that they can commit, it is not the syllogism of the logician, but the lash of the executioner, that would have refuted a sophistry which becomes an accomplice of theft and murder. The sophistic tyrants of Paris are loud in their declamations against the departed regal tyrants, who in former ages have vexed the world. They are thus bold, because they are safe from the dungeons and iron cages of their old masters. Shall

we be more tender of the tyrants of our own time, when we see them acting worse tragedies under our eyes? shall we not use the same liberty that they do, when we can use it with the same safety? when to speak honest truth only requires a contempt of the opinions of those whose actions we abhor?

This outrage on all the rights of property was at first covered with what, on the system of their conduct, was the most astonishing of all pretexts—a regard to national faith. The enemies to property at first pretended a most tender, delicate, and scrupulous anxiety for keeping the king's engagements with the public creditor. These professors of the rights of men are so busy in teaching others, that they have not leisure to learn anything themselves; otherwise they would have known, that it is to the property of the citizen, and not to the demands of the creditor of the state, that the first and original faith of civil society is pledged. The claim of the citizen is prior in time, paramount in title, superior in equity. The fortunes of individuals, whether possessed by acquisition, or by descent, or in virtue of a participation in the goods of some community, were no part of the creditor's security, expressed or implied. They never so much as entered into his head when he made his bargain. He well knew that the public, whether represented by a monarch or by a senate, can pledge nothing but the public estate; and it can have no public estate, except in what it derives from a just and proportioned imposition upon the citizens at large. This was engaged, and nothing else could be engaged, to the public creditor. No man can mortgage his injustice as a pawn for his fidelity.

It is impossible to avoid some observation on the contradictions caused by the extreme rigour and the extreme laxity of this new public faith, which influenced in this transaction, and which influenced not according to the nature of the obligation, but to the description of the persons to whom it was engaged. No acts of the old government of the kings of France are held valid in the National Assembly, except his pecuniary engagements; acts of all others of the most ambiguous legality. The rest of the acts of that royal government are considered in so odious a light, that to have a claim under its authority is looked on as a sort of crime.

A pension, given as a reward for service to the state, is surely as good a ground of property as any security for money advanced to the state. It is better; for money is paid, and well paid, to obtain that service. We have however seen multitudes of people under this description in France, who never had been deprived of their allowances by the most arbitrary ministers, in the most arbitrary times, by this assembly of the rights of men, robbed without mercy. They were told, in answer to their claim to the bread earned with their blood, that their services had not been rendered to the country that now exists.

This laxity of public faith is not confined to those unfortunate persons. The Assembly, with perfect consistency it must be owned, is engaged in a respectable deliberation how far it is bound by the treaties made with other nations under the former government, and their committee is to report which of them they ought to ratify, and which not. By this means they have put the external fidelity of this virgin state on a par with its internal.

It is not easy to conceive upon what rational principle the royal government should not, of the two, rather have possessed the power of rewarding service, and making treaties, in virtue of its prerogative, than that of pledging to creditors the revenue of the state, actual and possible. The treasure of the nation, of all things, has been the least allowed to the prerogative of the king of France, or to the prerogative of any king in Europe. To mortgage the public revenue implies the sovereign dominion, in the fullest sense, over the public purse. It goes far beyond the trust even of a temporary and occasional taxation. The acts however of that dangerous power (the distinctive mark of a boundless despotism) have been alone held sacred. Whence arose this preference given by a democratic assembly to a body of property deriving its title from the most critical and obnoxious of all the exertions of monarchical authority? Reason can furnish nothing to reconcile inconsistency; nor can partial favour be accounted for upon equitable principles. But the contradiction and partiality which admit no justification, are not the less without an adequate cause; and that cause I do not think it difficult to discover.

By the vast debt of France a great monied interest has

insensibly grown up, and with it a great power. By the ancient usages which prevailed in that kingdom, the general circulation of property, and in particular the mutual convertibility of land into money, and of money into land, had always been a matter of difficulty. Family settlements, rather more general and more strict than they are in England, the *jus retractus*, the great mass of landed property held by the crown, and, by a maxim of the French law, held unalienably, the vast estates of the ecclesiastic corporations,—all these had kept the landed and monied interests more separated in France, less miscible, and the owners of the two distinct species of property not so well disposed to each other as they are in this country.

The monied property was long looked on with rather an evil eye by the people. They saw it connected with their distresses, and aggravating them. It was no less envied by the old landed interests, partly for the same reasons that rendered it obnoxious to the people, but much more so as it eclipsed, by the splendour of an ostentatious luxury, the unendowed pedigrees and naked titles of several among the nobility. Even when the nobility, which represented the more permanent landed interest, united themselves by marriage (which sometimes was the case) with the other description, the wealth which saved the family from ruin, was supposed to contaminate and degrade it. Thus the enmities and heart-burnings of these parties were increased even by the usual means by which discord is made to cease and quarrels are turned into friendship. In the mean time, the pride of the wealthy men, not noble or newly noble, increased with its cause. They felt with resentment an inferiority, the grounds of which they did not acknowledge. There was no measure to which they were not willing to lend themselves, in order to be revenged of the outrages of this rival pride, and to exalt their wealth to what they considered as its natural rank and estimation. They struck at the nobility through the crown and the church. They attacked them particularly on the side on which they thought them the most vulnerable, that is, the possessions of the church which, through the patronage of the crown, generally devolved upon the nobility. The bishoprics, and the

great commendatory abbeys, were, with few exceptions, held by that order.

In this state of real, though not always perceived, warfare between the noble ancient landed interest and the new monied interest, the greatest because the most applicable strength was in the hands of the latter. The monied interest is in its nature more ready for any adventure; and its possessors more disposed to new enterprises of any kind. Being of a recent acquisition, it falls in more naturally with any novelties. It is therefore the kind of wealth which will be resorted to by all who wish for change.

Along with the monied interest, a new description of men had grown up, with whom that interest soon formed a close and marked union; I mean the political men of letters. Men of letters, fond of distinguishing themselves, are rarely averse to innovation. Since the decline of the life and greatness of Louis the Fourteenth, they were not so much cultivated either by him, or by the regent, or the successors to the crown; nor were they engaged to the court by favours and emoluments so systematically as during the splendid period of that ostentatious and not impolitic reign. What they lost in the old court protection, they endeavoured to make up by joining in a sort of incorporation of their own; to which the two academies of France, and afterwards the vast undertaking of the Encyclopædia, carried on by a society of these gentlemen, did not a little contribute.

The literary cabal had some years ago formed something like a regular plan for the destruction of the Christian religion. This object they pursued with a degree of zeal which hitherto had been discovered only in the propagators of some system of piety. They were possessed with a spirit of proselytism in the most fanatical degree; and from thence, by an easy progress, with the spirit of persecution according to their means.[1] What was not to be done towards their great end by any direct or immediate act, might be wrought by a longer process through the medium of opinion. To command that opinion, the first step is to establish a dominion

[1] This (down to the end of the first sentence in the next paragraph) and some other parts here and there, were inserted, on his reading the manuscript, by my lost Son.

over those who direct it. They contrived to possess themselves, with great method and perseverance, of all the avenues to literary fame. Many of them indeed stood high in the ranks of literature and science. The world had done them justice; and in favour of general talents forgave the evil tendency of their peculiar principles. This was true liberality; which they returned by endeavouring to confine the reputation of sense, learning, and taste to themselves or their followers. I will venture to say that this narrow, exclusive spirit has not been less prejudicial to literature and to taste, than to morals and true philosophy. These atheistical fathers have a bigotry of their own; and they have learnt to talk against monks with the spirit of a monk. But in some things they are men of the world. The resources of intrigue are called in to supply the defects of argument and wit. To this system of literary monopoly was joined an unremitting industry to blacken and discredit in every way, and by every means, all those who did not hold to their faction. To those who have observed the spirit of their conduct, it has long been clear that nothing was wanted but the power of carrying the intolerance of the tongue and of the pen into a persecution which would strike at property, liberty, and life.

The desultory and faint persecution carried on against them, more from compliance with form and decency, than with serious resentment, neither weakened their strength, nor relaxed their efforts. The issue of the whole was, that, what with opposition, and what with success, a violent and malignant zeal, of a kind hitherto unknown in the world, had taken an entire possession of their minds, and rendered their whole conversation, which otherwise would have been pleasing and instructive, perfectly disgusting. A spirit of cabal, intrigue, and proselytism, pervaded all their thoughts, words, and actions. And, as controversial zeal soon turns its thoughts on force, they began to insinuate themselves into a correspondence with foreign princes; in hopes, through their authority, which at first they flattered, they might bring about the changes they had in view. To them it was indifferent whether these changes were to be accomplished by the thunderbolt of despotism, or by the earthquake of popular commotion. The correspondence between this cabal and the late king of Prussia will throw no small light upon

the spirit of all their proceedings.[1] For the same purpose for which they intrigued with princes, they cultivated, in a distinguished manner, the monied interest of France; and partly through the means furnished by those whose peculiar offices gave them the most extensive and certain means of communication, they carefully occupied all the avenues to opinion.

Writers, especially when they act in a body, and with one direction, have great influence on the public mind; the alliance, therefore, of these writers with the monied interest[2] had no small effect in removing the popular odium and envy which attended that species of wealth. These writers, like the propagators of all novelties, pretended to a great zeal for the poor, and the lower orders, whilst in their satires they rendered hateful, by every exaggeration, the faults of courts, of nobility, and of priesthood. They became a sort of demagogues. They served as a link to unite, in favour of one object, obnoxious wealth to restless and desperate poverty.

As these two kinds of men appear principal leaders in all the late transactions, their junction and politics will serve to account, not upon any principles of law or of policy, but as a *cause*, for the general fury with which all the landed property of ecclesiastical corporations has been attacked; and the great care which, contrary to their pretended principles, has been taken, of a monied interest originating from the authority of the crown. All the envy against wealth and power was artificially directed against other descriptions of riches. On what other principle than that which I have stated can we account for an appearance so extraordinary and unnatural as that of the ecclesiastical possessions, which had stood so many successions of ages and shocks of civil violences, and were girded at once by justice, and by prejudice, being applied to the payment of debts, comparatively recent, invidious, and contracted by a decried and subverted government?

Was the public estate a sufficient stake for the public debts? Assume that it was not, and that a loss *must* be incurred somewhere—When the only estate lawfully possessed,

[1] I do not choose to shock the feeling of the moral reader with any quotation of their vulgar, base, and profane language.

[2] Their connexion with Turgot and almost all the people of the finance

and which the contracting parties had in contemplation at the time in which their bargain was made, happens to fail, who according to the principles of natural and legal equity, ought to be the sufferer? Certainly it ought to be either the party who trusted, or the party who persuaded him to trust; or both; and not third parties who had no concern with the transaction. Upon any insolvency they ought to suffer who are weak enough to lend upon bad security, or they who fraudulently held out a security that was not valid. Laws are acquainted with no other rules of decision. But by the new institute of the rights of men, the only persons, who in equity ought to suffer, are the only persons who are to be saved harmless: those are to answer the debt who neither were lenders nor borrowers, mortgagers nor mortgagees.

What had the clergy to do with these transactions? What had they to do with any public engagement further than the extent of their own debt? To that, to be sure, their estates were bound to the last acre. Nothing can lead more to the true spirit of the Assembly, which fits for public confiscation, with its new equity, and its new morality, than an attention to their proceeding with regard to this debt of the clergy. The body of confiscators, true to that monied interest for which they were false to every other, have found the clergy competent to incur a legal debt. Of course they declared them legally entitled to the property which their power of incurring the debt and mortgaging the estate implied; recognising the rights of those persecuted citizens, in the very act in which they were thus grossly violated.

If, as I said, any persons are to make good deficiencies to the public creditor, besides the public at large, they must be those who managed the agreement. Why therefore are not the estates of all the comptrollers-general confiscated?[1] Why not those of the long succession of ministers, financiers, and bankers who have been enriched whilst the nation was impoverished by their dealings and their counsels? Why is not the estate of M. Laborde declared forfeited rather than of the archbishop of Paris, who has had nothing to do in the creation or in the jobbing of the public funds? Or, if you must confiscate old landed estates in favour of the money-jobbers, why is the penalty confined to one description? I

[1] All have been confiscated in their turn.

do not know whether the expenses of the Duke de Choiseul have left anything of the infinite sums which he had derived from the bounty of his master, during the transactions of a reign which contributed largely by every species of prodigality in war and peace, to the present debt of France. If any such remains, why is not this confiscated? I remember to have been in Paris during the time of the old government. I was there just after the Duke d'Aiguillon had been snatched (as it was generally thought) from the block by the hand of a protecting despotism. He was a minister, and had some concern in the affairs of that prodigal period. Why do I not see his estate delivered up to the municipalities in which it is situated? The noble family of Noailles have long been servants (meritorious servants I admit) to the crown of France, and have had of course some share in its bounties. Why do I hear nothing of the application of their estates to the public debt? Why is the estate of the Duke de Rochefoucault more sacred than that of the Cardinal de Rochefoucault? The former is, I doubt not, a worthy person; and (if it were not a sort of profaneness to talk of the use, as affecting the title to property) he makes a good use of his revenues; but it is no disrespect to him to say, what authentic information well warrants me in saying, that the use made of a property equally valid, by his brother[1] the cardinal archbishop of Rouen, was far more laudable and far more public-spirited. Can one hear of the proscription of such persons, and the confiscation of their effects, without indignation and horror? He is not a man who does not feel such emotions on such occasions. He does not deserve the name of a free-man who will not express them.

Few barbarous conquerors have ever made so terrible a revolution in property. None of the heads of the Roman factions, when they established "*crudelem illam hastam*" in all their auctions of rapine, have ever set up to sale the goods of the conquered citizen to such an enormous amount. It must be allowed in favour of those tyrants of antiquity, that what was done by them could hardly be said to be done in cold blood. Their passions were inflamed, their tempers soured, their understandings confused, with the spirit of

[1] Not his brother, nor any near relation; but this mistake does not affect the argument.

revenge, with the innumerable reciprocated and recent inflictions and retaliations of blood and rapine. They were driven beyond all bounds of moderation by the apprehension of the return of power with the return of property, to the families of those they had injured beyond all hope of forgiveness.

These Roman confiscators, who were yet only in the elements of tyranny, and were not instructed in the rights of men to exercise all sorts of cruelties on each other without provocation, thought it necessary to spread a sort of colour over their injustice. They considered the vanquished party as composed of traitors who had borne arms, or otherwise had acted with hostility, against the commonwealth. They regarded them as persons who had forfeited their property by their crimes. With you, in your improved state of the human mind, there was no such formality. You seized upon five millions sterling of annual rent, and turned forty or fifty thousand human creatures out of their houses, because "such was your pleasure." The tyrant Harry the Eighth of England, as he was not better enlightened than the Roman Mariuses and Syllas, and had not studied in your new schools, did not know what an effectual instrument of despotism was to be found in that grand magazine of offensive weapons, the rights of men. When he resolved to rob the abbeys, as the club of the Jacobins have robbed all the ecclesiastics, he began by setting on foot a commission to examine into the crimes and abuses which prevailed in those communities. As it might be expected, his commission reported truths, exaggerations, and falsehoods. But truly or falsely, it reported abuses and offences. However, as abuses might be corrected, as every crime of persons does not infer a forfeiture with regard to communities, and as property, in that dark age, was not discovered to be a creature of prejudice, all those abuses (and there were enow of them) were hardly thought sufficient ground for such a confiscation as it was for his purpose to make. He therefore procured the formal surrender of these estates. All these operose proceedings were adopted by one of the most decided tyrants in the rolls of history, as necessary preliminaries, before he could venture, by bribing the members of his two servile houses with a share of the spoil, and holding out to them an eternal immunity from

taxation, to demand a confirmation of his iniquitous proceedings by an act of parliament. Had fate reserved him to our times, four technical terms would have done his business, and saved him all this trouble; he needed nothing more than one short form of incantation—"*Philosophy, Light, Liberality, the Rights of Men.*"

I can say nothing in praise of those acts of tyranny, which no voice has hitherto ever commended under any of their false colours; yet in these false colours an homage was paid by despotism to justice. The power which was above all fear and all remorse was not set above all shame. Whilst shame keeps its watch, virtue is not wholly extinguished in the heart; nor will moderation be utterly exiled from the minds of tyrants.

I believe every honest man sympathizes in his reflections with our political poet on that occasion, and will pray to avert the omen whenever these acts of rapacious despotism present themselves to his view or his imagination:

—"May no such storm
Fall on our times, where ruin must reform.
Tell me (my Muse) what monstrous dire offence,
What crimes could any Christian king incense
To such a rage? Was 't luxury, or lust?
Was *he* so temperate, so chaste, so just?
Were these their crimes? they were his own much more,
But wealth is crime enough to him that 's poor."[1]

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[1] The rest of the passage is this—

"Who having spent the treasures of his crown,
Condemns their luxury to feed his own.
And yet this act, to varnish o'er the shame
Of sacrilege, must bear devotion's name.
No crime so bold, but would be understood
A real, or at least a seeming good;
Who fears not to do ill, yet fears the name,
And, free from conscience, is a slave to fame.
Thus he the church at once protects, and spoils;
But princes' swords are sharper than their styles.
And thus to th' ages past he makes amends,
Their charity destroys, their faith defends.
Thus did religion in a lazy cell,
In empty airy contemplation dwell;
And, like the block, unmoved lay; but ours,
As much too active, like the stork devours

This same wealth, which is at all times treason and *lese nation* to indigent and rapacious despotism, under all modes of polity, was your temptation to violate property, law, and religion, united in one object. But was the state of France so wretched and undone, that no other resource but rapine remained to preserve its existence? On this point I wish to receive some information. When the states met, was the condition of the finances of France such, that, after economizing on principles of justice and mercy through all departments, no fair repartition of burthens upon all the orders could possibly restore them? If such an equal imposition would have been sufficient, you well know it might easily have been made. M. Necker, in the budget which he laid before the orders assembled at Versailles, made a detailed exposition of the state of the French nation.[1]

If we give credit to him, it was not necessary to have recourse to any new impositions whatsoever, to put the receipts of France on a balance with its expenses. He stated the permanent charges of all descriptions, including the interest of a new loan of four hundred millions, at 531,444,000 livres; the fixed revenue at 475,294,000, making the deficiency 56,150,000, or short of £2,200,000 sterling. But to balance it, he brought forward savings and improvements of revenue

> Is there no temperate region can be known,
> Betwixt their frigid and our torrid zone?
> Could we not wake from that lethargic dream,
> But to be restless in a worse extreme?
> And for that lethargy was there no cure,
> But to be cast into a calenture;
> Can knowledge have no bound, but must advance
> So far, to make us wish for ignorance?
> And rather in the dark to grope our way,
> Than, led by a false guide, to err by day?
> Who sees these dismal heaps, but would demand,
> What barbarous invader sacked the land?
> But when he hears, no Goth, no Turk did bring
> This desolation, but a Christian king;
> When nothing, but the name of zeal, appears
> 'Twixt our best actions and the worst of theirs,
> What does he think our sacrilege would spare,
> When such th' effects of our devotion are?"
>
> COOPER'S HILL, by Sir JOHN DENHAM.

[1] Rapport de Mons. le Directeur-Général des Finances, fait par ordre du Roi à Versailles. Mai 5, 1789.

(considered as entirely certain) to rather more than the amount of that deficiency; and he concludes with these emphatical words, (p. 39,) "Quel pays, Messieurs, que celui, où, *sans impôts* et avec de simples objets *inapperçus;* on peut faire disparoître un deficit qui a fait tant de bruit en Europe." As to the reimbursement, the sinking of debt, and the other great objects of public credit and political arrangement indicated in Mons. Necker's speech, no doubt could be entertained, but that a very moderate and proportioned assessment on the citizens without distinction would have provided for all of them to the fullest extent of their demand.

If this representation of Mons. Necker was false, then the Assembly are in the highest degree culpable for having forced the king to accept as his minister, and since the king's deposition, for having employed, as *their* minister, a man who had been capable of abusing so notoriously the confidence of his master and their own; in a matter too of the highest moment, and directly appertaining to his particular office. But if the representation was exact, (as having always, along with you, conceived a high degree of respect for M. Necker, I make no doubt it was,) then what can be said in favour of those, who, instead of moderate, reasonable, and general contribution, have in cold blood, and impelled by no necessity, had recourse to a partial and cruel confiscation?

Was that contribution refused on a pretext of privilege, either on the part of the clergy, or on that of the nobility? No, certainly. As to the clergy, they even ran before the wishes of the third order. Previous to the meeting of the states, they had in all their instructions expressly directed their deputies to renounce every immunity, which put them upon a footing distinct from the condition of their fellow-subjects. In this renunciation the clergy were even more explicit than the nobility.

But let us suppose that the deficiency had remained at the fifty-six millions, (or £2,200,000 sterling,) as at first stated by M. Necker. Let us allow that all the resources he opposed to that deficiency were impudent and groundless fictions; and that the Assembly (or their lords of articles[1] at the Ja-

[1] In the constitution of Scotland, during the Stuart reigns, a committee

cobins) were from thence justified in laying the whole burthen of that deficiency on the clergy,—yet allowing all this, a necessity of £2,200,000 sterling will not support a confiscation to the amount of five millions. The imposition of £2,200,000 on the clergy, as partial, would have been oppressive and unjust, but it would not have been altogether ruinous to those on whom it was imposed; and therefore it would not have answered the real purpose of the managers.

Perhaps persons unacquainted with the state of France, on hearing the clergy and the noblesse were privileged in point of taxation, may be led to imagine, that, previous to the Revolution, these bodies had contributed nothing to the state. This is a great mistake. They certainly did not contribute equally with each other, nor either of them equally with the commons. They both however contributed largely. Neither nobility nor clergy enjoyed any exemption from the excise on consumable commodities, from duties of custom, or from any of the other numerous *indirect* impositions, which in France, as well as here, make so very large a proportion of all payments to the public. The noblesse paid the capitation. They paid also a land-tax, called the twentieth penny, to the height sometimes of three, sometimes of four, shillings in the pound; both of them *direct* impositions of no light nature, and no trivial produce. The clergy of the provinces annexed by conquest to France, (which in extent make about an eighth part of the whole, but in wealth a much larger proportion,) paid likewise to the capitation and the twentieth penny, at the rate paid by the nobility. The clergy in the old provinces did not pay the capitation; but they had redeemed themselves at the expense of about 24 millions, or a little more than a million sterling. They were exempted from the twentieths: but then they made free gifts; they contracted debts for the state; and they were subject to some other charges, the whole computed at about a thirteenth part of their clear income. They ought to have paid annually about forty thousand pounds more, to put them on a par with the contribution of the nobility.

When the terrors of this tremendous proscription hung

sat for preparing bills; and none could pass, but those previously approved by them. This committee was called lords of articles.

over the clergy, they made an offer of a contribution, through the archbishop of Aix, which, for its extravagance, ought not to have been accepted. But it was evidently and obviously more advantageous to the public creditor, than anything which could rationally be promised by the confiscation. Why was it not accepted? The reason is plain—There was no desire that the church should be brought to serve the state. The service of the state was made a pretext to destroy the church. In their way to the destruction of the church they would not scruple to destroy their country: and they have destroyed it. One great end in the project would have been defeated, if the plan of extortion had been adopted in lieu of the scheme of confiscation. The new landed interest connected with the new republic, and connected with it for its very being, could not have been created. This was among the reasons why that extravagant ransom was not accepted.

The madness of the project of confiscation, on the plan that was first pretended, soon became apparent. To bring this unwieldy mass of landed property, enlarged by the confiscation of all the vast landed domain of the crown, at once into market, was obviously to defeat the profits proposed by the confiscation, by depreciating the value of those lands, and indeed of all the landed estates throughout France. Such a sudden diversion of all its circulating money from trade to land, must be an additional mischief. What step was taken? Did the Assembly, on becoming sensible of the inevitable ill effects of their projected sale, revert to the offers of the clergy? No distress could oblige them to travel in a course which was disgraced by any appearance of justice. Giving over all hopes from a general immediate sale, another project seems to have succeeded. They proposed to take stock in exchange for the church lands. In that project great difficulties arose in equalizing the objects to be exchanged. Other obstacles also presented themselves, which threw them back again upon some project of sale. The municipalities had taken an alarm. They would not hear of transferring the whole plunder of the kingdom to the stock-holders in Paris. Many of those municipalities had been (upon system) reduced to the most deplorable indigence. Money was nowhere to be seen. They were

therefore led to the point that was so ardently desired. They panted for a currency of any kind which might revive their perishing industry. The municipalities were then to be admitted to a share in the spoil, which evidently rendered the first scheme (if ever it had been seriously entertained) altogether impracticable. Public exigencies pressed upon all sides. The minister of finance reiterated his call for supply with a most urgent, anxious, and boding voice. Thus pressed on all sides, instead of the first plan of converting their bankers into bishops and abbots, instead of paying the old debt, they contracted a new debt, at 3 per cent., creating a new paper currency, founded on an eventual sale of the church lands. They issued this paper currency to satisfy in the first instance chiefly the demands made upon them by the *bank of discount*, the great machine, or paper-mill, of their fictitious wealth.

The spoil of the church was now become the only resource of all their operations in finance, the vital principle of all their politics, the sole security for the existence of their power. It was necessary by all, even the most violent means, to put every individual on the same bottom, and to bind the nation in one guilty interest to uphold this act, and the authority of those by whom it was done. In order to force the most reluctant into a participation of their pillage, they rendered their paper circulation compulsory in all payments. Those who consider the general tendency of their schemes to this one object as a centre, and a centre from which afterwards all their measures radiate, will not think that I dwell too long upon this part of the proceedings of the National Assembly.

To cut off all appearance of connexion between the crown and public justice, and to bring the whole under implicit obedience to the dictators in Paris, the old independent judicature of the parliaments, with all its merits, and all its faults, was wholly abolished. Whilst the parliaments existed, it was evident that the people might some time or other come to resort to them, and rally under the standard of their ancient laws. It became however a matter of consideration that the magistrates and officers, in the courts now abolished, *had purchased their places* at a very high rate, for which, as well as for the duty they performed, they received but a

very low return of interest. Simple confiscation is a boon only for the clergy;—to the lawyers some appearances of equity are to be observed; and they are to receive compensation to an immense amount. Their compensation becomes part of the national debt, for the liquidation of which there is the one exhaustless fund. The lawyers are to obtain their compensation in the new church paper, which is to march with the new principles of judicature and legislature. The dismissed magistrates are to take their share of martyrdom with the ecclesiastics, or to receive their own property from such a fund, and in such a manner, as all those, who have been seasoned with the ancient principles of jurisprudence, and had been the sworn guardians of property, must look upon with horror. Even the clergy are to receive their miserable allowance out of the depreciated paper, which is stamped with the indelible character of sacrilege, and with the symbols of their own ruin, or they must starve. So violent an outrage upon credit, property, and liberty, as this compulsory paper currency, has seldom been exhibited by the alliance of bankruptcy and tyranny, at any time, or in any nation.

In the course of all these operations, at length comes out the grand *arcanum*;—that in reality, and in a fair sense, the lands of the church (so far as anything certain can be gathered from their proceedings) are not to be sold at all. By the late resolutions of the National Assembly, they are indeed to be delivered to the highest bidder. But it is to be observed, that *a certain portion only of the purchase money is to be laid down*. A period of twelve years is to be given for the payment of the rest. The philosophic purchasers are therefore, on payment of a sort of fine, to be put instantly into possession of the estate. It becomes in some respects a sort of gift to them; to be held on the feudal tenure of zeal to the new establishment. This project is evidently to let in a body of purchasers without money. The consequence will be, that these purchasers, or rather grantees, will pay, not only from the rents as they accrue, which might as well be received by the state, but from the spoil of the materials of buildings, from waste in woods, and from whatever money, by hands habituated to the gripings of usury, they can wring from the miserable peasant. He is to be delivered over to the mercenary and arbitrary discretion of men, who will be

stimulated to every species of extortion by the growing demands on the growing profits of an estate held under the precarious settlement of a new political system.

When all the frauds, impostures, violences, rapines, burnings, murders, confiscations, compulsory paper currencies, and every description of tyranny and cruelty employed to bring about and to uphold this Revolution, have their natural effect, that is, to shock the moral sentiments of all virtuous and sober minds, the abettors of this philosophic system immediately strain their throats in a declamation against the old monarchical government of France. When they have rendered that deposed power sufficiently black, they then proceed in argument, as if all those who disapprove of their new abuses must of course be partisans of the old; that those who reprobate their crude and violent schemes of liberty ought to be treated as advocates for servitude. I admit that their necessities do compel them to this base and contemptible fraud. Nothing can reconcile men to their proceedings and projects, but the supposition that there is no third option between them and some tyranny as odious as can be furnished by the records of history, or by the invention of poets. This prattling of theirs hardly deserves the name of sophistry. It is nothing but plain impudence. Have these gentlemen never heard, in the whole circle of the worlds of theory and practice, of anything between the despotism of the monarch and the despotism of the multitude? Have they never heard of a monarchy directed by laws, controlled and balanced by the great hereditary wealth and hereditary dignity of a nation; and both again controlled by a judicious check from the reason and feeling of the people at large, acting by a suitable and permanent organ? Is it then impossible that a man may be found, who, without criminal ill intention, or pitiable absurdity, shall prefer such a mixed and tempered government to either of the extremes; and who may repute that nation to be destitute of all wisdom and of all virtue, which, having in its choice to obtain such a government with ease, *or rather to confirm it when actually possessed*, thought proper to commit a thousand crimes, and to subject their country to a thousand evils, in order to avoid it? Is it then a truth so universally acknowledged, that a pure democracy is the only tolerable form into which human

society can be thrown, that a man is not permitted to hesitate about its merits, without the suspicion of being a friend to tyranny, that is, of being a foe to mankind?

I do not know under what description to class the present ruling authority in France. It affects to be a pure democracy, though I think it in a direct train of becoming shortly a mischievous and ignoble oligarchy. But for the present I admit it to be a contrivance of the nature and effect of what it pretends to. I reprobate no form of government merely upon abstract principles. There may be situations in which the purely democratic form will become necessary. There may be some (very few, and very particularly circumstanced) where it would be clearly desirable. This I do not take to be the case of France, or of any other great country. Until now, we have seen no examples of considerable democracies. The ancients were better acquainted with them. Not being wholly unread in the authors, who had seen the most of those constitutions, and who best understood them, I cannot help concurring with their opinion, that an absolute democracy, no more than absolute monarchy, is to be reckoned among the legitimate forms of government. They think it rather the corruption and degeneracy, than the sound constitution of a republic. If I recollect rightly, Aristotle observes, that a democracy has many striking points of resemblance with a tyranny.[1] Of this I am certain, that in a democracy, the majority of the citizens is capable of exercising the most cruel oppressions upon the minority, whenever strong divisions prevail in that kind of polity, as they often must; and that oppression of the minority will extend to far greater

[1] When I wrote this I quoted from memory, after many years had elapsed from my reading the passage. A learned friend has found it, and it is as follows:

Τὸ ἦθος τὸ αὐτὸ, καὶ ἄμφω δεσποτικὰ τῶν βελτιόνων, καὶ τὰ ψηφίσματα, ὥσπερ ἐκεὶ τὰ ἐπιταγματὰ· καὶ ὁ δημαγωγος καὶ ὁ κόλαξ, οἱ αὐτοὶ καὶ ἀνάλογοι· καὶ μάλιστα ἑκάτεροι παρ' ἑκατέροις ἰσχύουσιν, οἱ μὲν κόλακες παρὰ τυράννοις, οἱ δὲ δημαγωγοὶ παρὰ τοῖς δήμοις τοῖς τοιούτοις.—

"The ethical character is the same; both exercise despotism over the better class of citizens; and decrees are in the one, what ordinances and arrêts are in the other: the demagogue too, and the court favourite, are not unfrequently the same identical men, and always bear a close analogy; and these have the principal power, each in their respective forms of government, favourites with the absolute monarch, and demagogues with a people such as I have described" Arist. Politic. lib. iv cap. 4.

numbers, and will be carried on with much greater fury, than can almost ever be apprehended from the dominion of a single sceptre. In such a popular persecution, individual sufferers are in a much more deplorable condition than in any other. Under a cruel prince they have the balmy compassion of mankind to assuage the smart of their wounds; they have the plaudits of the people to animate their generous constancy under their sufferings: but those who are subjected to wrong under multitudes, are deprived of all external consolation. They seem deserted by mankind, overpowered by a conspiracy of their whole species.

But admitting democracy not to have that inevitable tendency to party tyranny, which I suppose it to have, and admitting it to possess as much good in it when unmixed, as I am sure it possesses when compounded with other forms; does monarchy, on its part, contain nothing at all to recommend it? I do not often quote Bolingbroke, nor have his works in general left any permanent impression on my mind. He is a presumptuous and a superficial writer. But he has one observation, which, in my opinion, is not without depth and solidity. He says, that he prefers a monarchy to other governments; because you can better ingraft any description of republic on a monarchy than anything of monarchy upon the republican forms. I think him perfectly in the right. The fact is so historically; and it agrees well with the speculation.

I know how easy a topic it is to dwell on the faults of departed greatness. By a revolution in the state, the fawning sycophant of yesterday is converted into the austere critic of the present hour. But steady, independent minds, when they have an object of so serious a concern to mankind as government under their contemplation, will disdain to assume the part of satirists and declaimers. They will judge of human institutions as they do of human characters. They will sort out the good from the evil, which is mixed in mortal institutions, as it is in mortal men.

Your government in France, though usually, and I think justly, reputed the best of the unqualified or ill-qualified monarchies, was still full of abuses. These abuses accumulated in a length of time, as they must accumulate in every monarchy not under the constant inspection of a po-

pular representative. I am no stranger to the faults and defects of the subverted government of France; and I think I am not inclined by nature or policy to make a panegyric upon anything which is a just and natural object of censure. But the question is not now of the vices of that monarchy, but of its existence. Is it then true, that the French government was such as to be incapable or undeserving of reform; so that it was of absolute necessity that the whole fabric should be at once pulled down, and the area cleared for the erection of a theoretic, experimental edifice in its place? All France was of a different opinion in the beginning of the year 1789. The instructions to the representatives to the states-general, from every district in that kingdom, were filled with projects for the reformation of that government, without the remotest suggestion of a design to destroy it. Had such a design been then even insinuated, I believe there would have been but one voice, and that voice for rejecting it with scorn and horror. Men have been sometimes led by degrees, sometimes hurried, into things of which, if they could have seen the whole together, they never would have permitted the most remote approach. When those instructions were given, there was no question but that abuses existed, and that they demanded a reform; nor is there now. In the interval between the instructions and the Revolution, things changed their shape; and, in consequence of that change, the true question at present is, Whether those who would have reformed, or those who have destroyed, are in the right?

To hear some men speak of the late monarchy of France, you would imagine that they were talking of Persia bleeding under the ferocious sword of Tahmas Kouli Khân; or at least describing the barbarous anarchic despotism of Turkey, where the finest countries in the most genial climates in the world are wasted by peace more than any countries have been worried by war; where arts are unknown, where manufactures languish, where science is extinguished, where agriculture decays, where the human race itself melts away and perishes under the eye of the observer. Was this the case of France? I have no way of determining the question but by a reference to facts. Facts do not support this resemblance. Along with much evil, there is some good in monarchy itself; and some corrective to its evil from

religion, from laws, from manners, from opinions, the French monarchy must have received; which rendered it (though by no means a free, and therefore by no means a good, constitution) a despotism rather in appearance than in reality.

Among the standards upon which the effects of government on any country are to be estimated, I must consider the state of its population as not the least certain. No country in which population flourishes, and is in progressive improvement, can be under a *very* mischievous government. About sixty years ago, the Intendants of the generalities of France made, with other matters, a report of the population of their several districts. I have not the books, which are very voluminous, by me, nor do I know where to procure them, (I am obliged to speak by memory, and therefore the less positively,) but I think the population of France was by them, even at that period, estimated at twenty-two millions of souls. At the end of the last century it had been generally calculated at eighteen. On either of these estimations, France was not ill peopled. M. Necker, who is an authority for his own time at least equal to the Intendants for theirs, reckons, and upon apparently sure principles, the people of France, in the year 1780, at twenty-four millions six hundred and seventy thousand. But was this the probable ultimate term under the old establishment? Dr. Price is of opinion, that the growth of population in France was by no means at its *acmé* in that year. I certainly defer to Dr. Price's authority a good deal more in these speculations, than I do in his general politics. This gentleman, taking ground on M. Necker's data, is very confident that since the period of that minister's calculation, the French population has increased rapidly; so rapidly, that in the year 1789 he will not consent to rate the people of that kingdom at a lower number than thirty millions. After abating much (and much I think ought to be abated) from the sanguine calculation of Dr. Price, I have no doubt that the population of France did increase considerably during this later period: but supposing that it increased to nothing more than will be sufficient to complete the twenty-four millions six hundred and seventy thousand to twenty-five millions, still a population of twenty-five millions, and that in an increasing progress, on a space of about twenty-seven thousand square leagues, is immense. It is, for instance, a good deal more than the

proportionable population of this island, or even than that of England, the best peopled part of the united kingdom.

It is not universally true, that France is a fertile country. Considerable tracts of it are barren, and labour under other natural disadvantages. In the portions of that territory where things are more favourable, as far as I am able to discover, the numbers of the people correspond to the indulgence of nature.[1] The Generality of Lisle (this I admit is the strongest example) upon an extent of four hundred and four leagues and a half, about ten years ago, contained seven hundred and thirty-four thousand six hundred souls, which is one thousand seven hundred and seventy-two inhabitants to each square league. The middle term for the rest of France is about nine hundred inhabitants to the same admeasurement.

I do not attribute this population to the deposed government; because I do not like to compliment the contrivances of men with what is due in a great degree to the bounty of Providence. But that decried government could not have obstructed, most probably it favoured, the operation of those causes, (whatever they were,) whether of nature in the soil, or habits of industry among the people, which has produced so large a number of the species throughout that whole kingdom, and exhibited in some particular places such prodigies of population. I never will suppose that fabric of a state to be the worst of all political institutions, which, by experience, is found to contain a principle favourable (however latent it may be) to the increase of mankind.

The wealth of a country is another, and no contemptible standard, by which we may judge whether, on the whole, a government be protecting or destructive. France far exceeds England in the multitude of her people; but I apprehend that her comparative wealth is much inferior to ours; that it is not so equal in the distribution, nor so ready in the circulation. I believe the difference in the form of the two governments to be amongst the causes of this advantage on the side of England. I speak of England, not of the whole British dominions; which, if compared with those of France, will, in some degree, weaken the comparative rate of wealth upon our side. But that wealth, which will not

[1] De l'Administration des Finances de la France, par Mons. Necker, vol. i. p. 288.

endure a comparison with the riches of England, may constitute a very respectable degree of opulence. M. Necker's book, published in 1785,[1] contains an accurate and interesting collection of facts relative to public economy and to political arithmetic; and his speculations on the subject are in general wise and liberal. In that work he gives an idea of the state of France, very remote from the portrait of a country whose government was a perfect grievance, an absolute evil, admitting no cure but through the violent and uncertain remedy of a total revolution. He affirms, that from the year 1726 to the year 1784, there was coined at the mint of France, in the species of gold and silver, to the amount of about one hundred millions of pounds sterling.[2]

It is impossible that M. Necker should be mistaken in the amount of the bullion which has been coined in the mint. It is a matter of official record. The reasonings of this able financier, concerning the quantity of gold and silver which remained for circulation, when he wrote in 1785, that is, about four years before the deposition and imprisonment of the French king, are not of equal certainty; but they are laid on grounds so apparently solid, that it is not easy to refuse a considerable degree of assent to his calculation. He calculates the *numeraire*, or what we call *specie*, then actually existing in France, at about eighty-eight millions of the same English money. A great accumulation of wealth for one country, large as that country is! M. Necker was so far from considering this influx of wealth as likely to cease, when he wrote in 1785, that he presumes upon a future annual increase of two per cent. upon the money brought into France during the periods from which he computed.

Some adequate cause must have originally introduced all the money coined at its mint into that kingdom; and some cause as operative must have kept at home, or returned into its bosom, such a vast flood of treasure as M. Necker calculates to remain for domestic circulation. Suppose any reasonable deductions from M. Necker's computation, the remainder must still amount to an immense sum. Causes thus powerful to acquire, and to retain, cannot be found in discouraged industry, insecure property, and a positively de-

[1] De l'Administration des Finances de la France, per Mons. Necker.
[2] Vol. iii. chap. 8 and chap. 9

structive government. Indeed, when I consider the face of the kingdom of France; the multitude and opulence of her cities; the useful magnificence of her spacious high roads and bridges; the opportunity of her artificial canals and navigations opening the conveniences of maritime communication through a solid continent of so immense an extent; when I turn my eyes to the stupendous works of her ports and harbours, and to her whole naval apparatus, whether for war or trade; when I bring before my view the number of her fortifications, constructed with so bold and masterly a skill, and made and maintained at so prodigious a charge, presenting an armed front and impenetrable barrier to her enemies upon every side; when I recollect how very small a part of that extensive region is without cultivation, and to what complete perfection the culture of many of the best productions of the earth have been brought in France; when I reflect on the excellence of her manufactures and fabrics second to none but ours, and in some particulars not second; when I contemplate the grand foundations of charity, public and private; when I survey the state of all the arts that beautify and polish life; when I reckon the men she has bred for extending her fame in war, her able statesmen, the multitude of her profound lawyers and theologians, her philosophers, her critics, her historians and antiquaries, her poets and her orators, sacred and profane; I behold in all this something which awes and commands the imagination, which checks the mind on the brink of precipitate and indiscriminate censure, and which demands that we should very seriously examine, what and how great are the latent vices that could authorize us at once to level so spacious a fabric with the ground. I do not recognise in this view of things, the despotism of Turkey. Nor do I discern the character of a government, that has been, on the whole, so oppressive, or so corrupt, or so negligent, as to be utterly unfit *for all reformation*. I must think such a government well deserved to have its excellencies heightened, its faults corrected, and its capacities improved into a British constitution.

Whoever has examined into the proceedings of that deposed government for several years back, cannot fail to have observed, amidst the inconstancy and fluctuation natural to courts, an earnest endeavour towards the prosperity and

improvement of the country; he must admit, that it had long been employed, in some instances wholly to remove, in many considerably to correct, the abusive practices and usages that had prevailed in the state; and that even the unlimited power of the sovereign over the persons of his subjects, inconsistent, as undoubtedly it was, with law and liberty, had yet been every day growing more mitigated in the exercise. So far from refusing itself to reformation, that government was open, with a censurable degree of facility, to all sorts of projects and projectors on the subject. Rather too much countenance was given to the spirit of innovation, which soon was turned against those who fostered it, and ended in their ruin. It is but cold, and no very flattering, justice to that fallen monarchy, to say, that, for many years, it trespassed more by levity and want of judgment in several of its schemes, than from any defect in diligence or in public spirit. To compare the government of France for the last fifteen or sixteen years with wise and well-constituted establishments during that, or during any period, is not to act with fairness. But if in point of prodigality in the expenditure of money, or in point of rigour in the exercise of power, it be compared with any of the former reigns, I believe candid judges will give little credit to the good intentions of those who dwell perpetually on the donations to favourites, or on the expenses of the court, or on the horrors of the Bastile, in the reign of Louis the Sixteenth.[1]

Whether the system, if it deserves such a name, now built on the ruins of that ancient monarchy, will be able to give a better account of the population and wealth of the country, which it has taken under its care, is a matter very doubtful. Instead of improving by the change, I apprehend that a long series of years must be told, before it can recover in any degree the effects of this philosophic revolution, and before the nation can be replaced on its former footing. If Dr. Price should think fit, a few years hence, to favour us with an estimate of the population of France, he will hardly be able to make up his tale of thirty millions of

[1] The world is obliged to M. de Calonne for the pains he has taken to refute the scandalous exaggerations relative to some of the royal expenses, and to detect the fallacious account given of pensions, for the wicked purpose of provoking the populace to all sorts of crimes.

souls, as computed in 1789, or the Assembly's computation of twenty-six millions of that year; or even M. Necker's twenty-five millions in 1780. I hear that there are considerable emigrations from France; and that many, quitting that voluptuous climate, and that seductive *Circean* liberty, have taken refuge in the frozen regions, and under the British despotism, of Canada.

In the present disappearance of coin, no person could think it the same country, in which the present minister of the finances has been able to discover fourscore millions sterling in specie. From its general aspect one would conclude that it had been for some time past under the special direction of the learned academicians of Laputa and Balnibarbi.[1] Already the population of Paris has so declined, that M. Necker stated to the National Assembly the provision to be made for its subsistence at a fifth less than what had formerly been found requisite.[2] It is said (and I have never heard it contradicted) that a hundred thousand people are out of employment in that city, though it is become the seat of the imprisoned court and National Assembly. Nothing, I am credibly informed, can exceed the shocking and disgusting spectacle of mendicancy displayed in that capital. Indeed the votes of the National Assembly leave no doubt of the fact. They have lately appointed a standing committee of mendicancy. They are contriving at once a vigorous police on this subject, and, for the first time, the imposition of a tax to maintain the poor, for whose present relief great sums appear on the face of the public accounts of the year.[3] In

[1] See Gulliver's Travels for the idea of countries governed by philosophers.

[2] M. de Calonne states the falling off of the population of Paris as far more considerable; and it may be so, since the period of M. Necker's calculation.

[3]

	Livres.	£	*s.*	*d.*
Travaux de charité pour subvenir au manque de travail à Paris et dans les provinces	3,866,920 —	161,121	13	4
Destruction de vagabondage et de la mendicité	1,671,417 —	69,642	7	6
Primes pour l'importation de grains	5,671,907 —	236,329	9	2
Dépenses relatives aux subsistances, déduction fait des récouvrements qui ont eu lieu	39,871,790 —	1,661,324	11	8
Total	*Liv.* 51,082,034 —	£ 2,128,418	1	8

the mean time the leaders of the legislative clubs and coffee-houses are intoxicated with admiration at their own wisdom and ability. They speak with the most sovereign contempt of the rest of the world. They tell the people, to comfort them in the rags with which they have clothed them, that they are a nation of philosophers; and, sometimes, by all the arts of quackish parade, by show, tumult, and bustle, sometimes by the alarms of plots and invasions, they attempt to drown the cries of indigence, and to divert the eyes of the observer from the ruin and wretchedness of the state. A brave people will certainly prefer liberty accompanied with a virtuous poverty to a depraved and wealthy servitude. But before the price of comfort and opulence is paid, one ought to be pretty sure it is real liberty which is purchased, and that she is to be purchased at no other price. I shall always, however, consider that liberty as very equivocal in her appearance, which has not wisdom and justice for her companions; and does not lead prosperity and plenty in her train.

The advocates for this Revolution, not satisfied with exaggerating the vices of their ancient government, strike at the fame of their country itself, by painting almost all that could have attracted the attention of strangers, I mean their nobility and their clergy, as objects of horror. If this were only a libel, there had not been much in it. But it has practical consequences. Had your nobility and gentry, who formed the great body of your landed men, and the whole of your military officers, resembled those of Germany, at the period when the Hanse-towns were necessitated to confeder-

When I sent this book to the press, I entertained some doubt concerning the nature and extent of the last article in the above accounts, which is only under a general head, without any detail. Since then I have seen M. de Calonne's work. I must think it a great loss to me that I had not that advantage earlier. M. de Calonne thinks this article to be on account of general subsistence; but as he is not able to comprehend how so great a loss as upwards of £1,661,000 sterling could be sustained on the difference between the price and the sale of grain, he seems to attribute this enormous head of charge to secret expenses of the Revolution. I cannot say anything positively on that subject. The reader is capable of judging, by the aggregate of these immense charges, on the state and condition of France; and the system of public economy adopted in that nation. These articles of account produced no inquiry or discussion in the National Assembly

ate against the nobles in defence of their property—had they been like the *Orsini* and *Vitelli* in Italy, who used to sally from their fortified dens to rob the trader and traveller—had they been such as the *Mamelukes* in Egypt, or the *Nayres* on the coast of Malabar, I do admit, that too critical an inquiry might not be advisable into the means of freeing the world from such a nuisance. The statues of Equity and Mercy might be veiled for a moment. The tenderest minds, confounded with the dreadful exigence in which morality submits to the suspension of its own rules in favour of its own principles, might turn aside whilst fraud and violence were accomplishing the destruction of a pretended nobility which disgraced, whilst it persecuted, human nature. The persons most abhorrent from blood, and treason, and arbitrary confiscation, might remain silent spectators of this civil war between the vices.

But did the privileged nobility who met under the king's precept at Versailles, in 1789, or their constituents, deserve to be looked on as the *Nayres* or *Mamelukes* of this age, or as the *Orsini* and *Vitelli* of ancient times? If I had then asked the question I should have passed for a madman. What have they since done that they were to be driven into exile, that their persons should be hunted about, mangled, and tortured, their families dispersed, their houses laid in ashes, and that their order should be abolished, and the memory of it, if possible, extinguished, by ordaining them to change the very names by which they were usually known? Read their instructions to their representatives. They breathe the spirit of liberty as warmly, and they recommend reformation as strongly, as any other order. Their privileges relative to contribution were voluntarily surrendered; as the king, from the beginning, surrendered all pretence to a right of taxation. Upon a free constitution there was but one opinion in France. The absolute monarchy was at an end. It breathed its last, without a groan, without struggle, without convulsion. All the struggle, all the dissension, arose afterwards upon the preference of a despotic democracy to a government of reciprocal control. The triumph of the victorious party was over the principles of a British constitution.

I have observed the affectation, which for many years past,

has prevailed in Paris even to a degree perfectly childish, of idolizing the memory of your Henry the Fourth. If anything could put one out of humour with that ornament to the kingly character, it would be this overdone style of insidious panegyric. The persons who have worked this engine the most busily, are those who have ended their panegyrics in dethroning his successor and descendant; a man, as good-natured, at the least, as Henry the Fourth; altogether as fond of his people; and who has done infinitely more to correct the ancient vices of the state than that great monarch did, or we are sure he ever meant to do. Well it is for his panegyrists that they have not him to deal with. For Henry of Navarre was a resolute, active, and politic prince. He possessed indeed great humanity and mildness; but a humanity and mildness that never stood in the way of his interests. He never sought to be loved without putting himself first in a condition to be feared. He used soft language with determined conduct. He asserted and maintained his authority in the gross, and distributed his acts of concession only in the detail. He spent the income of his prerogative nobly; but he took care not to break in upon the capital; never abandoning for a moment any of the claims which he made under the fundamental laws, nor sparing to shed the blood of those who opposed him, often in the field, sometimes upon the scaffold. Because he knew how to make his virtues respected by the ungrateful, he has merited the praises of those, whom, if they had lived in his time, he would have shut up in the Bastile, and brought to punishment along with the regicides whom he hanged after he had famished Paris into a surrender.

If these panegyrists are in earnest in their admiration of Henry the Fourth, they must remember, that they cannot think more highly of him than he did of the noblesse of France; whose virtue, honour, courage, patriotism, and loyalty were his constant theme.

But the nobility of France are degenerated since the days of Henry the Fourth. This is possible. But it is more than I can believe to be true in any great degree. I do not pretend to know France as correctly as some others; but I have endeavoured through my whole life to make myself acquainted with human nature; otherwise I should be unfit to take even my humble part in the service of mankind. In

that study I could not pass by a vast portion of our nature, as it appeared modified in a country but twenty-four miles from the shore of this island. On my best observation, compared with my best inquiries, I found your nobility for the greater part composed of men of high spirit, and of a delicate sense of honour, both with regard to themselves individually, and with regard to their whole corps, over whom they kept, beyond what is common in other countries, a censorial eye. They were tolerably well bred; very officious, humane, and hospitable; in their conversation frank and open; with a good military tone; and reasonably tinctured with literature, particularly of the authors in their own language Many had pretensions far above this description. I speak of those who were generally met with.

As to their behaviour to the inferior classes, they appeared to me to comport themselves towards them with good-nature, and with something more nearly approaching to familiarity, than is generally practised with us in the intercourse between the higher and lower ranks of life. To strike any person, even in the most abject condition, was a thing in a manner unknown, and would be highly disgraceful. Instances of other ill-treatment of the humble part of the community were rare: and as to attacks made upon the property or the personal liberty of the commons, I never heard of any whatsoever from *them;* nor, whilst the laws were in vigour under the ancient government, would such tyranny in subjects have been permitted. As men of landed estates, I had no fault to find with their conduct, though much to reprehend, and much to wish changed, in many of the old tenures. Where the letting of their land was by rent, I could not discover that their agreements with their farmers were oppressive; nor when they were in partnership with the farmer, as often was the case, have I heard that they had taken the lion's share. The proportions seemed not inequitable. There might be exceptions; but certainly they were exceptions only. I have no reason to believe that in these respects the landed noblesse of France were worse than the landed gentry of this country; certainly in no respect more vexatious than the landholders, not noble, of their own nation. In cities the nobility had no manner of power; in the country very little. You know, Sir, that much of the civil government, and the police in the most essential parts

was not in the hands of that nobility which presents itself first to our consideration. The revenue, the system and collection of which were the most grievous parts of the French government, was not administered by the men of the sword; nor were they answerable for the vices of its principle, or the vexations, where any such existed, in its management.

Denying, as I am well warranted to do, that the nobility had any considerable share in the oppression of the people, in cases in which real oppression existed, I am ready to admit that they were not without considerable faults and errors. A foolish imitation of the worst part of the manners of England, which impaired their natural character, without substituting in its place what perhaps they meant to copy, has certainly rendered them worse than formerly they were. Habitual dissoluteness of manners continued beyond the pardonable period of life, was more common amongst them than it is with us; and it reigned with the less hope of remedy, though possibly with something of less mischief, by being covered with more exterior decorum. They countenanced too much that licentious philosophy which has helped to bring on their ruin. There was another error amongst them more fatal. Those of the commons, who approached to or exceeded many of the nobility in point of wealth, were not fully admitted to the rank and estimation which wealth, in reason and good policy, ought to bestow in every country; though I think not equally with that of other nobility. The two kinds of aristocracy were too punctiliously kept asunder; less so, however, than in Germany and some other nations.

This separation, as I have already taken the liberty of suggesting to you, I conceive to be one principal cause of the destruction of the old nobility. The military, particularly, was too exclusively reserved for men of family. But, after all, this was an error of opinion, which a conflicting opinion would have rectified. A permanent assembly, in which the commons had their share of power, would soon abolish whatever was too invidious and insulting in these distinctions; and even the faults in the morals of the nobility would have been probably corrected, by the greater varieties of occupation and pursuit to which a constitution by orders would have given rise.

All this violent cry against the nobility I take to be a mere

work of art. To be honoured and even privileged by the laws, opinions, and inveterate usages of our country, growing out of the prejudice of ages, has nothing to provoke horror and indignation in any man. Even to be too tenacious of those privileges is not absolutely a crime. The strong struggle in every individual to preserve possession of what he has found to belong to him, and to distinguish him, is one of the securities against injustice and despotism implanted in our nature. It operates as an instinct to secure property, and to preserve communities in a settled state. What is there to shock in this? Nobility is a graceful ornament to the civil order. It is the Corinthian capital of polished society. *Omnes boni nobilitati semper favemus*, was the saying of a wise and good man. It is indeed one sign of a liberal and benevolent mind to incline to it with some sort of partial propensity. He feels no ennobling principle in his own heart, who wishes to level all the artificial institutions which have been adopted for giving a body to opinion, and permanence to fugitive esteem. It is a sour, malignant, envious disposition, without taste for the reality, or for any image or representation of virtue, that sees with joy the unmerited fall of what had long flourished in splendour and in honour. I do not like to see anything destroyed; any void produced in society; any ruin on the face of the land. It was therefore with no disappointment or dissatisfaction that my inquiries and observations did not present to me any inexpiable vices in the noblesse of France, or any abuse which could not be removed by a reform very short of abolition. Your noblesse did not deserve punishment: but to degrade is to punish.

It was with the same satisfaction I found that the result of my inquiry concerning your clergy was not dissimilar. It is no soothing news to my ears, that great bodies of men are incurably corrupt. It is not with much credulity I listen to any, when they speak evil of those whom they are going to plunder. I rather suspect that vices are feigned or exaggerated, when profit is looked for in their punishment. An enemy is a bad witness; a robber is a worse. Vices and abuses there were undoubtedly in that order, and must be. It was an old establishment, and not frequently revised. But I saw no crimes in the individuals that merited confiscation

of their substance, nor those cruel insults and degradations, and that unnatural persecution, which have been substituted in the place of meliorating regulation.

If there had been any just cause for this new religious persecution, the atheistic libellers, who act as trumpeters to animate the populace to plunder, do not love any body so much as not to dwell with complacence on the vices of the existing clergy. This they have not done. They find themselves obliged to rake into the histories of former ages (which they have ransacked with a malignant and profligate industry) for every instance of oppression and persecution which has been made by that body or in its favour, in order to justify, upon very iniquitous, because very illogical, principles of retaliation, their own persecutions, and their own cruelties. After destroying all other genealogies and family distinctions, they invent a sort of pedigree of crimes. It is not very just to chastise men for the offences of their natural ancestors: but to take the fiction of ancestry in a corporate succession, as a ground for punishing men who have no relation to guilty acts, except in names and general descriptions, is a sort of refinement in injustice belonging to the philosophy of this enlightened age. The Assembly punishes men, many, if not most, of whom abhor the violent conduct of ecclesiastics in former times as much as their present persecutors can do, and who would be as loud and as strong in the expression of that sense, if they were not well aware of the purposes for which all this declamation is employed.

Corporate bodies are immortal for the good of the members, but not for their punishment. Nations themselves are such corporations. As well might we in England think of waging inexpiable war upon all Frenchmen for the evils which they have brought upon us in the several periods of our mutual hostilities. You might, on your part, think yourselves justified in falling upon all Englishmen on account of the unparalleled calamities brought on the people of France by the unjust invasions of our Henries and our Edwards. Indeed we should be mutually justified in this exterminatory war upon each other, full as much as you are in the unprovoked persecution of your present countrymen, on account of the conduct of men of the same name in other times.

We do not draw the moral lessons we might from history.

On the contrary, without care it may be used to vitiate our minds and to destroy our happiness. In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind. It may, in the perversion, serve for a magazine, furnishing offensive and defensive weapons for parties in church and state, and supplying the means of keeping alive, or reviving, dissensions and animosities, and adding fuel to civil fury. History consists, for the greater part, of the miseries brought upon the world by pride, ambition, avarice, revenge, lust, sedition, hypocrisy, ungoverned zeal, and all the train of disorderly appetites, which shake the public with the same

> —" troublous storms that toss
> The private state, and render life unsweet."

These vices are the *causes* of those storms. Religion, morals, laws, prerogatives, privileges, liberties, rights of men, are the *pretexts*. The pretexts are always found in some specious appearance of a real good. You would not secure men from tyranny and sedition, by rooting out of the mind the principles to which these fraudulent pretexts apply? If you did, you would root out everything that is valuable in the human breast. As these are the pretexts, so the ordinary actors and instruments in great public evils are kings, priests, magistrates, senates, parliaments, national assemblies, judges, and captains. You would not cure the evil by resolving, that there should be no more monarchs, nor ministers of state, nor of the gospel; no interpreters of law; no general officers; no public councils. You might change the names. The things in some shape must remain. A certain *quantum* of power must always exist in the community, in some hands, and under some appellation. Wise men will apply their remedies to vices, not to names; to the causes of evil which are permanent, not to the occasional organs by which they act, and the transitory modes in which they appear. Otherwise you will be wise historically, a fool in practice. Seldom have two ages the same fashion in their pretexts and the same modes of mischief. Wickedness is a little more inventive. Whilst you are discussing fashion, the fashion is gone by. The very same vice assumes a new body. The spirit transmi-

grates; and, far from losing its principle of life by the change of its appearance, it is renovated in its new organs with a fresh vigour of a juvenile activity. It walks abroad, it continues its ravages, whilst you are gibbeting the carcase, or demolishing the tomb. You are terrifying yourselves with ghosts and apparitions, whilst your house is the haunt of robbers. It is thus with all those, who, attending only to the shell and husk of history, think they are waging war with intolerance, pride, and cruelty, whilst, under colour of abhorring the ill principles of antiquated parties, they are authorizing and feeding the same odious vices in different factions, and perhaps in worse.

Your citizens of Paris formerly had lent themselves as the ready instruments to slaughter the followers of Calvin at the infamous massacre of St. Bartholomew. What should we say to those who could think of retaliating on the Parisians of this day the abominations and horrors of that time? They are indeed brought to abhor *that* massacre. Ferocious as they are, it is not difficult to make them dislike it; because the politicians and fashionable teachers have no interest in giving their passions exactly the same direction. Still however they find it their interest to keep the same savage dispositions alive. It was but the other day that they caused this very massacre to be acted on the stage for the diversion of the descendants of those who committed it. In this tragic farce they produced the cardinal of Lorraine in his robes of function, ordering general slaughter. Was this spectacle intended to make the Parisians abhor persecution, and loathe the effusion of blood?—No; it was to teach them to persecute their own pastors; it was to excite them, by raising a disgust and horror of their clergy, to an alacrity in hunting down to destruction an order, which, if it ought to exist at all, ought to exist not only in safety, but in reverence. It was to stimulate their cannibal appetites (which one would think had been gorged sufficiently) by variety and seasoning; and to quicken them to an alertness in new murders and massacres, if it should suit the purpose of the Guises of the day. An assembly, in which sat a multitude of priests and prelates, was obliged to suffer this indignity at its door. The author was not sent to the galleys, nor the players to the house of correction. Not long after this ex-

hibition, those players came forward to the Assembly to claim the rites of that very religion which they had dared to expose, and to show their prostituted faces in the senate, whilst the archbishop of Paris, whose function was known to his people only by his prayers and benedictions, and his wealth only by his alms, is forced to abandon his house, and to fly from his flock, (as from ravenous wolves,) because, truly, in the sixteenth century, the cardinal of Lorraine was a rebel and a murderer.[1]

Such is the effect of the perversion of history, by those, who, for the same nefarious purposes, have perverted every other part of learning. But those who will stand upon that elevation of reason, which places centuries under our eye, and brings things to the true point of comparison, which obscures little names, and effaces the colours of little parties, and to which nothing can ascend but the spirit and moral quality of human actions, will say to the teachers of the Palais Royal,—The cardinal of Lorraine was the murderer of the sixteenth century, you have the glory of being the murderers in the eighteenth; and this is the only difference between you. But history in the nineteenth century, better understood, and better employed, will, I trust, teach a civilized posterity to abhor the misdeeds of both these barbarous ages. It will teach future priests and magistrates not to retaliate upon the speculative and inactive atheists of future times, the enormities committed by the present practical zealots and furious fanatics of that wretched error, which, in its quiescent state, is more than punished, whenever it is embraced. It will teach posterity not to make war upon either religion or philosophy, for the abuse which the hypocrites of both have made of the two most valuable blessings conferred upon us by the bounty of the universal Patron, who in all things eminently favours and protects the race of man.

If your clergy, or any clergy, should show themselves vicious beyond the fair bounds allowed to human infirmity, and to those professional faults which can hardly be separated from professional virtues, though their vices never can countenance the exercise of oppression, I do admit, that they

[1] This is on a supposition of the truth of this story, but he was not in France at the time. One name serves as well as another.

would naturally have the effect of abating very much of our indignation against the tyrants who exceed measure and justice in their punishment. I can allow in clergymen, through all their divisions, some tenaciousness of their own opinion, some overflowings of zeal for its propagation, some predilection to their own state and office, some attachment to the interest of their own corps, some preference to those who listen with docility to their doctrines, beyond those who scorn and deride them. I allow all this, because I am a man who have to deal with men, and who would not, through a violence of toleration, run into the greatest of all intolerance. I must bear with infirmities until they fester into crimes.

Undoubtedly, the natural progress of the passions, from frailty to vice, ought to be prevented by a watchful eye and a firm hand. But is it true that the body of your clergy had past those limits of a just allowance? From the general style of your late publications of all sorts, one would be led to believe that your clergy in France were a sort of monsters; an horrible composition of superstition, ignorance, sloth, fraud, avarice, and tyranny. But is this true? Is it true, that the lapse of time, the cessation of conflicting interests, the woeful experience of the evils resulting from party rage, have had no sort of influence gradually to meliorate their minds? Is it true, that they were daily renewing invasions on the civil power, troubling the domestic quiet of their country, and rendering the operations of its government feeble and precarious? Is it true, that the clergy of our times have pressed down the laity with an iron hand, and were, in all places, lighting up the fires of a savage persecution? Did they by every fraud endeavour to increase their estates? Did they use to exceed the due demands on estates that were their own? Or, rigidly screwing up right into wrong, did they convert a legal claim into a vexatious extortion? When not possessed of power, were they filled with the vices of those who envy it? Were they inflamed with a violent, litigious spirit of controversy? Goaded on with the ambition of intellectual sovereignty, were they ready to fly in the face of all magistracy, to fire churches, to massacre the priests of other descriptions, to pull down altars, and to make their way over the ruins of subverted governments to an empire of doctrine, sometimes flattering, sometimes

forcing, the consciences of men from the jurisdiction of public institutions into a submission to their personal authority, beginning with a claim of liberty, and ending with an abuse of power?

These, or some of these, were the vices objected, and not wholly without foundation, to several of the churchmen of former times, who belonged to the two great parties, which then divided and distracted Europe.

If there was in France, as in other countries there visibly is, a great abatement, rather than any increase of these vices, instead of loading the present clergy with the crimes of other men, and the odious character of other times, in common equity they ought to be praised, encouraged, and supported, in their departure from a spirit which disgraced their predecessors, and for having assumed a temper of mind and manners more suitable to their sacred function.

When my occasions took me into France, towards the close of the late reign, the clergy, under all their forms, engaged a considerable part of my curiosity. So far from finding (except from one set of men, not then very numerous, though very active) the complaints and discontents against that body, which some publications had given me reason to expect, I perceived little or no public or private uneasiness on their account. On further examination, I found the clergy, in general, persons of moderate minds and decorous manners; I include the seculars, and the regulars of both sexes. I had not the good fortune to know a great many of the parochial clergy: but in general I received a perfectly good account of their morals, and of their attention to their duties. With some of the higher clergy I had a personal acquaintance; and of the rest in that class, a very good means of information. They were, almost all of them, persons of noble birth. They resembled others of their own rank; and where there was any difference, it was in their favour. They were more fully educated than the military noblesse; so as by no means to disgrace their profession by ignorance, or by want of fitness for the exercise of their authority. They seemed to me, beyond the clerical character, liberal and open; with the hearts of gentlemen, and men of honour; neither insolent nor servile in their manners and conduct. They seemed to me rather a superior class; a set of men, amongst whom you

would not be surprised to find a *Fenelon*. I saw among the clergy in Paris (many of the description are not to be met with anywhere) men of great learning and candour; and I had reason to believe, that this description was not confined to Paris. What I found in other places, I know was accidental; and therefore to be presumed a fair sample. I spent a few days in a provincial town, where, in the absence of the bishop, I passed my evenings with three clergymen, his vicars-general, persons who would have done honour to any church. They were all well informed; two of them of deep, general, and extensive erudition, ancient and modern, oriental and western; particularly in their own profession. They had a more extensive knowledge of our English divines than I expected; and they entered into the genius of those writers with a critical accuracy. One of these gentlemen is since dead, the Abbé *Morangis*. I pay this tribute, without reluctance, to the memory of that noble, reverend, learned, and excellent person; and I should do the same, with equal cheerfulness, to the merits of the others, who I believe are still living, if I did not fear to hurt those whom I am unable to serve.

Some of these ecclesiastics of rank are, by all titles, persons deserving of general respect. They are deserving of gratitude from me, and from many English. If this letter should ever come into their hands, I hope they will believe there are those of our nation who feel for their unmerited fall, and for the cruel confiscation of their fortunes, with no common sensibility. What I say of them is a testimony, as far as one feeble voice can go, which I owe to truth. Whenever the question of this unnatural persecution is concerned, I will pay it. No one shall prevent me from being just and grateful. The time is fitted for the duty; and it is particularly becoming to show our justice and gratitude, when

who have deserved well of us and of mankind, are
ing under popular obloquy, and the persecutions of
sive power.

had before your Revolution about an hundred and
bishops. A few of them were men of eminent
and charity without limit. When we talk of the
course we talk of rare virtue. I believe the in-
eminent depravity may be as rare amongst them

as those of transcendent goodness. Examples of avarice and of licentiousness may be picked out, I do not question it, by those who delight in the investigation which leads to such discoveries. A man as old as I am will not be astonished that several, in every description, do not lead that perfect life of self-denial, with regard to wealth or to pleasure, which is wished for by all, by some expected, but by none exacted with more rigour, than by those who are the most attentive to their own interests, or the most indulgent to their own passions. When I was in France, I am certain that the number of vicious prelates was not great. Certain individuals among them, not distinguishable for the regularity of their lives, made some amends for their want of the severe virtues, in their possession of the liberal; and were endowed with qualities which made them useful in the church and state. I am told, that, with few exceptions, Louis the Sixteenth had been more attentive to character, in his promotions to that rank, than his immediate predecessor; and I believe (as some spirit of reform has prevailed through the whole reign) that it may be true. But the present ruling power has shown a disposition only to plunder the church. It has punished *all* prelates; which is to favour the vicious, at least in point of reputation. It has made a degrading pensionary establishment, to which no man of liberal ideas or liberal condition will destine his children. It must settle into the lowest classes of the people. As with you the inferior clergy are not numerous enough for their duties; as these duties are, beyond measure, minute and toilsome, as you have left no middle classes of clergy at their ease, in future nothing of science or erudition can exist in the Gallican church. To complete the project, without the least attention to the rights of patrons, the Assembly has provided in future an elective clergy; an arrangement which will drive out of the clerical profession all men of sobriety who can pretend to independence in their function or conduct; and which will throw the whole direction public mind into the hands of a set of licentious, bold factious, flattering wretches, of such condition a habits of life as will make their contemptible pen comparison of which the stipend of an exciseman is and honourable) an object of low and illiberal

Those officers, whom they still call bishops, are to be elected to a provision comparatively mean, through the same arts, (that is, electioneering arts,) by men of all religious tenets that are known or can be invented. The new lawgivers have not ascertained anything whatsoever concerning their qualifications, relative either to doctrine or to morals; no more than they have done with regard to the subordinate clergy: nor does it appear but that both the higher and the lower may, at their discretion, practise or preach any mode of religion or irreligion that they please. I do not yet see what the jurisdiction of bishops over their subordinates is to be, or whether they are to have any jurisdiction at all.

In short, Sir, it seems to me, that this new ecclesiastical establishment is intended only to be temporary, and preparatory to the utter abolition, under any of its forms, of the Christian religion, whenever the minds of men are prepared for this last stroke against it, by the accomplishment of the plan for bringing its ministers into universal contempt. They who will not believe, that the philosophical fanatics, who guide in these matters, have long entertained such a design, are utterly ignorant of their character and proceedings. These enthusiasts do not scruple to avow their opinion, that a state can subsist without any religion better than with one; and that they are able to supply the place of any good which may be in it, by a project of their own—namely, by a sort of education they have imagined, founded in a knowledge of the physical wants of men; progressively carried to an enlightened self-interest, which, when well understood, they tell us, will identify with an interest more enlarged and public. The scheme of this education has been long known. Of late they distinguish it (as they have got an entirely new nomenclature of technical terms) by the name of a *Civic Education.*

I hope their partisans in England (to whom I rather attribute very inconsiderate conduct, than the ultimate object in this detestable design) will succeed neither in the pillage of the ecclesiastics, nor in the introduction of a principle of popular election to our bishoprics and parochial cures. This, in the present condition of the world, would be the last corruption of the church; the utter ruin of the clerical character; the most dangerous shock that the state ever received

through a misunderstood arrangement of religion. I know well enough that the bishoprics and cures, under kingly and seignoral patronage, as now they are in England, and as they have been lately in France, are sometimes acquired by unworthy methods; but the other mode of ecclesiastical canvass subjects them infinitely more surely and more generally to all the evil arts of low ambition, which, operating on and through greater numbers, will produce mischief in proportion.

Those of you, who have robbed the clergy, think that they shall easily reconcile their conduct to all Protestant nations; because the clergy, whom they have thus plundered, degraded, and given over to mockery and scorn, are of the Roman Catholic, that is, of *their own* pretended persuasion. I [illegible] no doubt that some miserable bigots will be found here, state. I am [illegible]here, who hate sects and parties different tenth had been more atte[illegible] they love the substance of relitions to that rank, than his immed[illegible] those who differ from believe (as some spirit of reform has previ[illegible] than disple[illegible] the whole reign) that it may be true. But the present ruling power has shown a disposition only to plunder the church. It has punished *all* prelates; which is to favour the vicious, at least in point of reputation. It has made a degrading pensionary establishment, to which no man of liberal ideas or liberal condition will destine his children. It must settle into the lowest classes of the people. As with you the inferior clergy are not numerous enough for their duties; as these duties are, beyond measure, minute and toilsome, as you have left no middle classes of clergy at their ease, in future nothing of science or erudition can exist in the Gallican church. To complete the project, without the least attention to the rights of patrons, the Assembly has provided in future an elective clergy; an arrangement which will drive out of the clerical profession all men of sobriety who can pretend to independence in their function or conduct; and which will throw the whole direction public mind into the hands of a set of licentious, bold factious, flattering wretches, of such condition a habits of life as will make their contemptible pen comparison of which the stipend of an exciseman is and honourable) an object of low and illiberal

of the most fervent and exalted piety; ready to die (as some of them did die) like true heroes in defence of their particular ideas of Christianity; as they would with equal fortitude, and more cheerfully, for that stock of general truth, for the branches of which they contended with their blood. These men would have disavowed with horror those wretches who claimed a fellowship with them upon no other titles than those of their having pillaged the persons with whom they maintained controversies, and their having despised the common religion, for the purity of which they exerted themselves with a zeal, which unequivocally bespoke their highest reverence for the substance of that system which they wished to reform. Many of their descendants have retained the same zeal, but (as less engaged in conflict) with more moderation. They do not forget that justice and mercy are substantial parts of religion. Impious men do not recom[illegible] themselves to their communion by iniq[illegible] its forms, of wards any description of their f[illegible]e minds of men are pre-

We hear these ne[illegible]ist it, by the accomplishment [illegible]ging its ministers into universal con tempt. [illegible] who will not believe, that the philosophical fanatics, who guide in these matters, have long entertained such a design, are utterly ignorant of their character and proceedings. These enthusiasts do not scruple to avow their opinion, that a state can subsist without any religion better than with one; and that they are able to supply the place of any good which may be in it, by a project of their own—namely, by a sort of education they have imagined, founded in a knowledge of the physical wants of men; progressively carried to an enlightened self-interest, which, when well understood, they tell us, will identify with an interest more enlarged and public. The scheme of this education has been long known. Of late they distinguish it (as they have got an entirely new nomenclature of technical terms) by the name of a *Civic Education*.

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description of men amongst us. But I speak for the greater part; and for them, I must tell you, that sacrilege is no part of their doctrine of good works; that, so far from calling you into their fellowship on such title, if your professors are admitted to their communion, they must carefully conceal their doctrine of the lawfulness of the proscription of innocent men; and that they must make restitution of all stolen goods whatsoever. Till then they are none of ours.

You may suppose that we do not approve your confiscation of the revenues of bishops, and deans, and chapters, and parochial clergy possessing independent estates arising from land, because we have the same sort of establishment in England. That objection, you will say, cannot hold as to the confiscation of the goods of monks and nuns, and the abolition of their order. It is true that this particular part of your general confiscation does not affect England, as a precedent in point: but the reason implies, and it goes a great way. The long parliament confiscated the lands of deans and chapters in England on the same ideas upon which your assembly set to sale the lands of the monastic orders. But it is in the principle of injustice that the danger lies, and not in the description of persons on whom it is first exercised. I see, in a country very near us, a course of policy pursued, which sets justice, the common concern of mankind, at defiance. With the National Assembly of France, possession is nothing, law and usage are nothing. I see the National Assembly openly reprobate the doctrine of prescription, which one of the greatest of their own lawyers[1] tells us, with great truth, is a part of the law of nature. He tells us, that the positive ascertainment of its limits, and its security from invasion, were among the causes for which civil society itself has been instituted. If prescription be once shaken, no species of property is secure, when it once becomes an object large enough to tempt the cupidity of indigent power. I see a practice perfectly correspondent to their contempt of this great fundamental part of natural law. I see the confiscators begin with bishops, and chapters, and monasteries; but I do not see them end there. I see the princes of the blood, who, by the oldest usages of that kingdom, held large landed estates, (hardly with the compliment

[1] Domat.

of a debate,) deprived of their possessions, and, in lieu of their stable, independent property, reduced to the hope of some precarious, charitable pension, at the pleasure of an assembly, which of course will pay little regard to the rights of pensioners at pleasure, when it despises those of legal proprietors. Flushed with the insolence of their first inglorious victories, and pressed by the distresses caused by their lust of unhallowed lucre, disappointed but not discouraged, they have at length ventured completely to subvert all property of all descriptions throughout the extent of a great kingdom. They have compelled all men, in all transactions of commerce, in the disposal of lands, in civil dealing, and through the whole communion of life, to accept as perfect payment and good and lawful tender, the symbols of their speculations on a projected sale of their plunder. What vestiges of liberty or property have they left? The tenant-right of a cabbage-garden, a year's interest in a hovel, the good-will of an ale-house or a baker's shop, the very shadow of a constructive property, are more ceremoniously treated in our parliament, than with you the oldest and most valuable landed possessions, in the hands of the most respectable personages, or than the whole body of the monied and commercial interest of your country. We entertain a high opinion of the legislative authority; but we have never dreamt that parliaments had any right whatever to violate property, to overrule prescription, or to force a currency of their own fiction in the place of that which is real, and recognised by the law of nations. But you, who began with refusing to submit to the most moderate restraints, have ended by establishing an unheard-of despotism. I find the ground upon which your confiscators go is this; that indeed their proceedings could not be supported in a court of justice; but that the rules of prescription cannot bind a legislative assembly.[1] So that this legislative assembly of a free nation sits, not for the security, but for the destruction, of property, and not of property only, but of every rule and maxim which can give it stability, and of those instruments which can alone give it circulation.

When the Anabaptists of Munster, in the sixteenth cen-

[1] Speech of Mr. Camus, published by order of the National Assembly.

tury, had filled Germany with confusion, by their system of leveling, and their wild opinions concerning property, to what country in Europe did not the progress of their fury furnish just cause of alarm? Of all things, wisdom is the most terrified with epidemical fanaticism, because of all enemies it is that against which she is the least able to furnish any kind of resource. We cannot be ignorant of the spirit of atheistical fanaticism, that is inspired by a multitude of writings, dispersed with incredible assiduity and expense, and by sermons delivered in all the streets and places of public resort in Paris. These writings and sermons have filled the populace with a black and savage atrocity of mind, which supersedes in them the common feelings of nature, as well as all sentiments of morality and religion; insomuch that these wretches are induced to bear with a sullen patience the intolerable distresses brought upon them by the violent convulsions and permutations that have been made in property.[1] The spirit of proselytism attends this spirit of fanaticism. They have societies to cabal and correspond at home and abroad for the propagation of their tenets. The republic of Berne, one of the happiest, the most prosperous, and the best governed countries upon earth, is one of the great objects, at the destruction of which they

[1] Whether the following description is strictly true, I know not; but it is what the publishers would have pass for true in order to animate others. In a letter from Toul, given in one of their papers, is the following passage concerning the people of that district: "Dans la Révolution actuelle, ils ont résisté à toutes les *séductions du bigotisme, aux persécutions, et aux tracasseries* des ennemis de la Révolution. *Oubliant leurs plus grands intérêts* pour rendre hommage a... vues d'ordre général qui ont déterminé l'Assemblée Nationale, ils voient, *sans se plaindre*, supprimer cette foule d'établissemens ecclésiastiques par lesquels *ils subsistoient;* et même, en perdant leur siège épiscopal, la seul de toutes ses ressources qui pouvoit, ou plutôt *qui devoit, en toute équité*, leur être conservée; condamnés *à la plus effrayante misère*, sans avoir *été ni pu être entendus, ils ne murmurent point*, ils restent fidèles aux principes du plus pur patriotisme; ils sont encore prêts à *verser leur sang* pour le maintien de la Constitution, qui va réduire leur ville *à la plus déplorable nullité.*" These people are not supposed to have endured those sufferings and injustices in a struggle for liberty, for the same account states truly that they had been always free; their patience in beggary and ruin, and their suffering, without remonstrance, the most flagrant and confessed injustice, if strictly true, can be nothing but the effect of this dire fanaticism. A great multitude all over France is in the same condition and the same temper.

aim. I am told they have in some measure succeeded in sowing there the seeds of discontent. They are busy throughout Germany. Spain and Italy have not been untried. England is not left out of the comprehensive scheme of their malignant charity: and in England we find those who stretch out their arms to them, who recommend their example from more than one pulpit, and who choose in more than one periodical meeting, publicly to correspond with them, to applaud them, and to hold them up as objects for imitation; who receive from them tokens of confraternity, and standards consecrated amidst their rights and mysteries;[1] who suggest to them leagues of perpetual amity, at the very time when the power, to which our constitution has exclusively delegated the federative capacity of this kingdom, may find it expedient to make war upon them.

It is not the confiscation of our church property from this example in France that I dread, though I think this would be no trifling evil. The great source of my solicitude is, lest it should ever be considered in England as the policy of a state to seek a resource in confiscations of any kind; or that any one description of citizens should be brought to regard any of the others as their proper prey.[2] Nations are wading deeper and deeper into an ocean of boundless debt. Public debts, which at first were a security to

[1] See the proceedings of the confederation at *Nantz*.

[2] "Si plures sunt ii quibus improbe datum est, quam illi quibus injuste ademptum est, idcirco plus etiam valent? Non enim numero hæc judicantur sed pondere. Quam autem habet æquitatem, ut agrum multis annis, aut etiam sæculis ante possessum, qui nullum habuit habeat; qui autem habuit amittat? Ac, propter hoc injuriæ genus, Lacedæmonii Lysandrum Ephorum expulerunt: Agin regem (quod nunquam antea apud eos acciderat) necaverunt: exque eo tempore tantæ discordiæ secutæ sunt, ut et tyranni existerint, et optimates exterminarentur, et preclarissime constituta respublica dilaberetur. Nec vero solum ipsa cecidit, sed etiam reliquam Græciam evertit contagionibus malorum, quæ a Lacedæmoniis profectæ manarunt latius."—After speaking of the conduct of the model of true patriots, Aratus of Sicyon, which was in a very different spirit, he says, "Sic par est agere cum civibus; non ut bis jam vidimus, hastam in foro ponere et bona civium voci subjicere præconis. At ille Græcus (id quod fuit sapientis et præstantis viri) omnibus consulendum esse putavit: eaque est summa ratio et sapientia boni civis, commoda civium non diveliere, sed omnes eadem æquitate continere."—Cic. Off l. 2.

governments, by interesting many in the public tranquillity, are likely in their excess to become the means of their subversion. If governments provide for these debts by heavy impositions, they perish by becoming odious to the people. If they do not provide for them they will be undone by the efforts of the most dangerous of all parties; I mean an extensive, discontented monied interest, injured and not destroyed. The men who compose this interest look for their security, in the first instance, to the fidelity of government; in the second, to its power. If they find the old governments effete, worn out, and with their springs relaxed, so as not to be of sufficient vigour for their purposes, they may seek new ones that shall be possessed of more energy; and this energy will be derived, not from an acquisition of resources, but from a contempt of justice. Revolutions are favourable to confiscation; and it is impossible to know under what obnoxious names the next confiscations will be authorized. I am sure that the principles predominant in France extend to very many persons, and descriptions of persons, in all countries who think their innoxious indolence their security. This kind of innocence in proprietors may be argued into inutility; and inutility into an unfitness for their estates. Many parts of Europe are in open disorder. In many others there is a hollow murmuring under ground; a confused movement is felt, that threatens a general earthquake in the political world. Already confederacies and correspondencies of the most extraordinary nature are forming, in several countries.[1] In such a state of things we ought to hold ourselves upon our guard. In all mutations (if mutations must be) the circumstance which will serve most to blunt the edge of their mischief, and to promote what good may be in them, is, that they should find us with our minds tenacious of justice, and tender of property.

But it will be argued, that this confiscation in France ought not to alarm other nations. They say it is not made from wanton rapacity; that it is a great measure of national policy, adopted to remove an extensive, inveterate, superstitious mischief. It is with the greatest difficulty that I am able to separate policy from justice. Justice itself is the

[1] See two books entitled, Enige Originalschriften des Illuminatenordens —System und Folgen des Illuminatenordens. Munchen, 1787

great standing policy of civil society; and any eminent departure from it, under any circumstances, lies under the suspicion of being no policy at all.

When men are encouraged to go into a certain mode of life by the existing laws, and protected in that mode as in a lawful occupation—when they have accommodated all their ideas and all their habits to it—when the law had long made their adherence to its rules a ground of reputation, and their departure from them a ground of disgrace and even of penalty—I am sure it is unjust in legislature, by an arbitrary act, to offer a sudden violence to their minds and their feelings; forcibly to degrade them from their state and condition, and to stigmatize with shame and infamy that character, and those customs, which before had been made the measure of their happiness and honour. If to this be added an expulsion from their habitations, and a confiscation of all their goods, I am not sagacious enough to discover how this despotic sport, made of the feelings, consciences, prejudices, and properties of men, can be discriminated from the rankest tyranny.

If the injustice of the course pursued in France be clear, the policy of the measure, that is, the public benefit to be expected from it, ought to be at least as evident, and at least as important. To a man who acts under the influence of no passion, who has nothing in view in his projects but the public good, a great difference will immediately strike him between what policy would dictate on the original introduction of such institutions, and on a question of their total abolition, where they have cast their roots wide and deep, and where, by long habit, things more valuable than themselves are so adapted to them, and in a manner interwoven with them, that the one cannot be destroyed without notably impairing the other. He might be embarrassed if the case were really such as sophisters represent it in their paltry style of debating. But in this, as in most questions of state, there is a middle. There is something else than the mere alternative of absolute destruction, or unreformed existence. *Spartam nactus es; hanc exorna.* This is, in my opinion, a rule of profound sense, and ought never to depart from the mind of an honest reformer. I cannot conceive how any man can have brought himself to that pitch of pre-

sumption, to consider his country as nothing but *carte blanche*, upon which he may scribble whatever he pleases. A man full of warm, speculative benevolence may wish his society otherwise constituted than he finds it; but a good patriot, and a true politician, always considers how he shall make the most of the existing materials of his country. A disposition to preserve, and an ability to improve, taken together, would be my standard of a statesman. Everything else is vulgar in the conception, perilous in the execution.

There are moments in the fortune of states, when particular men are called to make improvements, by great mental exertion. In those moments, even when they seem to enjoy the confidence of their prince and country, and to be invested with full authority, they have not always apt instruments. A politician, to do great things, looks for a *power*, what our workmen call a *purchase;* and if he finds that power, in politics as in mechanics, he cannot be at a loss to apply it. In the monastic institutions, in my opinion, was found a great *power* for the mechanism of politic benevolence. There were revenues with a public direction; there were men wholly set apart and dedicated to public purposes, without any other than public ties and public principles; men without the possibility of converting the estate of the community into a private fortune; men denied to self-interests, whose avarice is for some community; men to whom personal poverty is honour, and implicit obedience stands in the place of freedom. In vain shall a man look to the possibility of making such things when he wants them. The winds blow as they list. These institutions are the products of enthusiasm; they are the instruments of wisdom. Wisdom cannot create materials; they are the gifts of nature or of chance; her pride is in the use. The perennial existence of bodies corporate and their fortunes are things particularly suited to a man who has long views; who meditates designs that require time in fashioning, and which propose duration when they are accomplished. He is not deserving to rank high, or even to be mentioned in the order of great statesmen, who, having obtained the command and direction of such a power as existed in the wealth, the discipline, and the habits of such corporations, as those which you have rashly destroyed, cannot find any way of converting it to the great and lasting benefit of

his country. On the view of this subject, a thousand uses suggest themselves to a contriving mind. To destroy any power, growing wild from the rank productive force of the human mind, is almost tantamount, in the moral world, to the destruction of the apparently active properties of bodies in the material. It would be like the attempt to destroy (if it were in our competence to destroy) the expansive force of fixed air in nitre, or the power of steam, or of electricity, or of magnetism. These energies always existed in nature, and they were always discernible. They seemed, some of them unserviceable, some noxious, some no better than a sport to children; until contemplative ability, combining with practic skill, tamed their wild nature, subdued them to use, and rendered them at once the most powerful and the most tractable agents, in subservience to the great views and designs of men. Did fifty thousand persons, whose mental and whose bodily labour you might direct, and so many hundred thousand a year of a revenue, which was neither lazy nor superstitious, appear too big for your abilities to wield? Had you no way of using the men but by converting monks into pensioners? Had you no way of turning the revenue to account, but through the improvident resource of a spendthrift sale? If you were thus destitute of mental funds, the proceeding is in its natural course. Your politicians do not understand their trade; and therefore they sell their tools.

But the institutions savour of superstition in their very principle; and they nourish it by a permanent and standing influence. This I do not mean to dispute; but this ought not to hinder you from deriving from superstition itself any resources which may then be furnished for the public advantage. You derive benefits from many dispositions and many passions of the human mind, which are of as doubtful a colour, in the moral eye, as superstition itself. It was your business to correct and mitigate everything which was noxious in this passion, as in all the passions. But is superstition the greatest of all possible vices? In its possible excess I think it becomes a very great evil. It is, however, a moral subject; and of course admits of all degrees and all modifications. Superstition is the religion of feeble minds; and they must be tolerated in an intermixture of it, in some trifling or some enthusiastic shape or other, else you will do-

prive weak minds of a resource found necessary to the strongest. The body of all true religion consists, to be sure, in obedience to the will of the Sovereign of the world; in a confidence in his declarations; and in imitation of his perfections. The rest is our own. It may be prejudicial to the great end; it may be auxiliary. Wise men, who as such are not *admirers*, (not admirers at least of the *Munera Terræ*,) are not violently attached to these things, nor do they violently hate them. Wisdom is not the most severe corrector of folly. They are the rival follies, which mutually wage so unrelenting a war; and which make so cruel a use of their advantages, as they can happen to engage the immoderate vulgar, on the one side, or the other, in their quarrels. Prudence would be neuter; but if, in the contention between fond attachment and fierce antipathy concerning things in their nature not made to produce such heats, a prudent man were obliged to make a choice of what errors and excesses of enthusiasm he would condemn or bear, perhaps he would think the superstition which builds, to be more tolerable than that which demolishes—that which adorns a country, than that which deforms it—that which endows, than that which plunders—that which disposes to mistaken beneficence, than that which stimulates to real injustice—that which leads a man to refuse to himself lawful pleasures, than that which snatches from others the scanty subsistence of their self-denial. Such, I think, is very nearly the state of the question between the ancient founders of monkish superstition, and the superstition of the pretended philosophers of the hour.

For the present I postpone all consideration of the supposed public profit of the sale, which however I conceive to be perfectly delusive. I shall here only consider it as a transfer of property. On the policy of that transfer I shall trouble you with a few thoughts.

In every prosperous community something more is produced than goes to the immediate support of the producer. This surplus forms the income of the landed capitalist. It will be spent by a proprietor who does not labour. But this idleness is itself the spring of labour; this repose the spur to industry. The only concern of the state is, that the capital taken in rent from the land, should be returned again to the industry from whence it came; and that its expenditure

should be with the least possible detriment to the morals of those who expend it, and to those of the people to whom it is returned.

In all the views of receipt, expenditure, and personal employment, a sober legislator would carefully compare the possessor whom he was recommended to expel, with the stranger who was proposed to fill his place. Before the inconveniencies are incurred which *must* attend all violent revolutions in property through extensive confiscation, we ought to have some rational assurance that the purchasers of the confiscated property will be in a considerable degree more laborious, more virtuous, more sober, less disposed to extort an unreasonable proportion of the gains of the labourer, or to consume on themselves a larger share than is fit for the measure of an individual; or that they should be qualified to dispense the surplus in a more steady and equal mode, so as to answer the purposes of a politic expenditure, than the old possessors, call those possessors bishops, or canons, or commendatory abbots, or monks, or what you please. The monks are lazy. Be it so. Suppose them no otherwise employed than by singing in the choir. They are as usefully employed as those who neither sing nor say. As usefully even as those who sing upon the stage. They are as usefully employed as if they worked from dawn to dark in the innumerable servile, degrading, unseemly, unmanly, and often most unwholesome and pestiferous occupations, to which by the social economy so many wretches are inevitably doomed. If it were not generally pernicious to disturb the natural course of things, and to impede, in any degree, the great wheel of circulation which is turned by the strangely-directed labour of these unhappy people, I should be infinitely more inclined forcibly to rescue them from their miserable industry, than violently to disturb the tranquil repose of monastic quietude. Humanity, and perhaps policy, might better justify me in the one than in the other. It is a subject on which I have often reflected, and never reflected without feeling from it. I am sure that no consideration, except the necessity of submitting to the yoke of luxury, and the despotism of fancy, who in their own imperious way will distribute the surplus product of the soil, can justify the toleration of such trades and employments in a well-regu-

lated state. But for this purpose of distribution, it seems to me, that the idle expenses of monks are quite as well directed as the idle expenses of us lay-loiterers.

When the advantages of the possession and of the project are on a par, there is no motive for a change. But in the present case, perhaps, they are not upon a par, and the difference is in favour of the possession. It does not appear to me, that the expenses of those whom you are going to expel, do in fact take a course so directly and so generally leading to vitiate and degrade and render miserable those through whom they pass, as the expenses of those favourites whom you are intruding into their houses. Why should the expenditure of a great landed property, which is a dispersion of the surplus product of the soil, appear intolerable to you or to me, when it takes its course through the accumulation of vast libraries, which are the history of the force and weakness of the human mind; through great collections of ancient records, medals, and coins, which attest and explain laws and customs; through paintings and statues, that, by imitating nature, seem to extend the limits of creation; through grand monuments of the dead, which continue the regards and connexions of life beyond the grave; through collections of the specimens of nature, which become a representative assembly of all the classes and families of the world, that by disposition facilitate, and, by exciting curiosity, open the avenues to science? If by great permanent establishments, all these objects of expense are better secured from the inconstant sport of personal caprice and personal extravagance, are they worse than if the same tastes prevailed in scattered individuals? Does not the sweat of the mason and carpenter, who toil in order to partake the sweat of the peasant, flow as pleasantly and as salubriously, in the construction and repair of the majestic edifices of religion, as in the painted booths and sordid sties of vice and luxury; as honourably and as profitably in repairing those sacred works, which grow hoary with innumerable years, as on the momentary receptacles of transient voluptuousness; in opera-houses, and brothels, and gaming-houses, and club-houses, and obelisks in the Champ de Mars? Is the surplus product of the olive and the vine worse employed in the frugal sustenance of persons, whom the fictions of a pious

imagination raise to dignity by construing in the service of God, than in pampering the innumerable multitude of those who are degraded by being made useless domestics, subservient to the pride of man? Are the decorations of temples an expenditure less worthy a wise man, than ribbons, and laces, and national cockades, and petit maisons, and petit soupers, and all the innumerable fopperies and follies, in which opulence sports away the burthen of its superfluity?

We tolerate even these; not from love of them, but for fear of worse. We tolerate them, because property and liberty, to a degree, require that toleration. But why proscribe the other, and surely, in every point of view, the more laudable use of estates? Why, through the violation of all property, through an outrage upon every principle of liberty, forcibly carry them from the better to the worse?

This comparison between the new individuals and the old corps is made upon a supposition that no reform could be made in the latter. But, in a question of reformation, I always consider corporate bodies, whether sole or consisting of many, to be much more susceptible of a public direction by the power of the state, in the use of their property, and in the regulation of modes and habits of life in their members, than private citizens ever can be, or perhaps ought to be: and this seems to me a very material consideration for those who undertake anything which merits the name of a politic enterprise.—So far as to the estates of monasteries.

With regard to the estates possessed by bishops and canons, and commendatory abbots, I cannot find out for what reason some landed esta[tes] may not be held otherwise than by inheritance. Can a[ny] philosophic spoiler undertake to demonstrate the positive [or] the comparative evil of having a certain, and that too a [large], portion of landed property, passing in succession thro[ugh] persons whose title to it is, always in theory, and often [in] fact, an eminent degree of piety, morals, and learning; a p[ro]perty, which, by its destination, in their turn, and on the sco[re] of merit, gives to the noblest families renovation and suppo[rt], to the lowest the means of dignity and elevation; a pro[per]ty, the tenure of which is the performance of some du[ty], (whatever value you may choose to set upon that duty,) [and] the character of whose proprietors demands, at least, a[n] exterior decorum, and gra-

vity of manners; who are to exercise a generous but temperate hospitality; part of whose income they are to consider as a trust for charity; and who, even when they fail in their trust, when they slide from their character, and degenerate into a mere common secular nobleman or gentleman, are in no respect worse than those who may succeed them in their forfeited possessions? Is it better that estates should be held by those who have no duty, than by those who have one?—by those whose character and destination point to virtues, than by those who have no rule and direction in the expenditure of their estates but their own will and appetite? Nor are these estates held altogether in the character or with the evils supposed inherent in mortmain. They pass from hand to hand with a more rapid circulation than any other. No excess is good; and therefore too great a proportion of landed property may be held officially for life: but it does not seem to me of material injury to any commonwealth, that there should exist some estates that have a chance of being acquired by other means than the previous acquisition of money.

This letter is grown to a great length, though it is indeed short with regard to the infinite extent of the subject. Various avocations have from time to time called my mind from the subject. I was not sorry to give myself leisure to observe whether, in the proceedings of the National Assembly, I might not find reasons to change or to qualify some of my first sentiments. Everything has confirmed me more strongly in my first opinions. It was my original purpose to take a view of the principles of the National Assembly with regard to the great and fund
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dom. Those whose principle it is to despise the ancient, permanent sense of mankind, and to set up a scheme of society on new principles, must naturally expect that such of us, who think better of the judgment of the human race than of theirs, should consider both them and their devices, as men and schemes upon their trial. They must take it for granted that we attend much to their reason, but not at all to their authority. They have not one of the great influencing prejudices of mankind in their favour. They avow their hostility to opinion. Of course they must expect no support from that influence, which, with every other authority, they have deposed from the seat of its jurisdiction.

I can never consider this Assembly as anything else than a voluntary association of men, who have availed themselves of circumstances to seize upon the power of the state. They have not the sanction and authority of the character under which they first met. They have assumed another of a very different nature; and have completely altered and inverted all the relations in which they originally stood. They do not hold the authority they exercise under any constitutional law of the state. They have departed from the instructions of the people by whom they were sent; which instructions, as the Assembly did not act in virtue of any ancient usage or settled law, were the sole source of their authority. The most considerable of their acts have not been done by great majorities; and in this sort of near divisions, which carry only the constructive authority of the whole, strangers will consider reasons as well as resolutions.

If they had set up this new, experimental government, as a necessary substitute for an expelled tyranny, mankind would anticipate the time of prescription, which, through long usage, mellows into legality governments that were violent in their commencement. All those who have affections which lead them to the conservation of civil order would recognise, even in its cradle, the child as legitimate, which has been produced from those principles of cogent expediency to which all just governments owe their birth, and on which they justify their continuance. But they will be late and reluctant in giving any sort of countenance to the operations of a power, which has derived its birth from no law and no necessity; but which on the contrary has had

its origin in those vices and sinister practices by which the social union is often disturbed and sometimes destroyed. This Assembly has hardly a year's prescription. We have their own word for it that they have made a revolution. To make a revolution is a measure which, *prima fronte*, requires an apology. To make a revolution is to subvert the ancient state of our country; and no common reasons are called for to justify so violent a proceeding. The sense of mankind authorizes us to examine into the mode of acquiring new power, and to criticise on the use that is made of it, with less awe and reverence than that which is usually conceded to a settled and recognised authority.

In obtaining and securing their power, the Assembly proceeds upon principles the most opposite to those which appear to direct them in the use of it. An observation on this difference will let us into the true spirit of their conduct. Everything which they have done, or continue to do, in order to obtain and keep their power, is by the most common arts. They proceed exactly as their ancestors of ambition have done before them.—Trace them through all their artifices, frauds, and violences, you can find nothing at all that is new. They follow precedents and examples with the punctilious exactness of a pleader. They never depart an iota from the authentic formulas of tyranny and usurpation. But in all the regulations relative to the public good, the spirit has been the very reverse of this. There they commit the whole to the mercy of untried speculations; they abandon the dearest interests of the public to those loose theories, to which none of them would choose to trust the slightest of his private concerns. They make this difference, because in their desire of obtaining and securing power they are thoroughly in earnest; there they travel in the beaten road. The public interests, because about them they have no real solicitude, they abandon wholly to chance: I say to chance, because their schemes have nothing in experience to prove their tendency beneficial.

We must always see with a pity not unmixed with respect, the errors of those who are timid and doubtful of themselves with regard to points wherein the happiness of mankind is concerned. But in these gentlemen there is nothing of the tender, parental solicitude, which fears to cut up the infant

for the sake of an experiment. In the vastness of their promises, and the confidence of their predictions, they far outdo all the boasting of empirics. The arrogance of their pretensions, in a manner provokes and challenges us to an inquiry into their foundation.

I am convinced that there are men of considerable parts among the popular leaders in the National Assembly. Some of them display eloquence in their speeches and their writings. This cannot be without powerful and cultivated talents. But eloquence may exist without a proportionable degree of wisdom. When I speak of ability, I am obliged to distinguish. What they have done towards the support of their system bespeaks no ordinary men. In the system itself, taken as the scheme of a republic constructed for procuring the prosperity and security of the citizen, and for promoting the strength and grandeur of the state, I confess myself unable to find out anything which displays, in a single instance, the work of a comprehensive and disposing mind, or even the provisions of a vulgar prudence. Their purpose everywhere seems to have been to evade and slip aside from *difficulty*. This it has been the glory of the great masters in all the arts to confront, and to overcome; and when they had overcome the first difficulty, to turn it into an instrument for new conquests over new difficulties; thus to enable them to extend the empire of their science; and even to push forward, beyond the reach of their original thoughts, the land-marks of the human understanding itself. Difficulty is a severe instructor, set over us by the supreme ordinance of a parental Guardian and Legislator, who knows us better than we know ourselves, as he loves us better too. *Pater ipse colendi haud facilem esse viam voluit.* He that wrestles with us strengthens our nerves, and sharpens our skill. Our antagonist is our helper. This amicable conflict with difficulty obliges us to an intimate acquaintance with our object, and compels us to consider it in all its relations. It will not suffer us to be superficial. It is the want of nerves of understanding for such a task, it is the degenerate fondness for tricking short-cuts, and little fallacious facilities, that has in so many parts of the world created governments with arbitrary powers. They have created the late arbitrary monarchy of France. They have created the arbi-

trary republic of Paris. With them defects in wisdom are to be supplied by the plenitude of force. They get nothing by it. Commencing their labours on a principle of sloth, they have the common fortune of slothful men. The difficulties, which they rather had eluded than escaped, meet them again in their course; they multiply and thicken on them; they are involved, through a labyrinth of confused detail, in an industry without limit, and without direction; and, in conclusion, the whole of their work becomes feeble, vicious, and insecure.

It is this inability to wrestle with difficulty which has obliged the arbitrary Assembly of France to commence their schemes of reform with abolition and total destruction.[1] But is it in destroying and pulling down that skill is displayed? Your mob can do this as well at least as your assemblies. The shallowest understanding, the rudest hand, is more than equal to that task. Rage and phrensy will pull down more in half an hour, than prudence, deliberation, and foresight can build up in a hundred years. The errors and defects of old establishments are visible and palpable. It calls for little ability to point them out; and where absolute power is given, it requires but a word wholly to abolish the vice and the establishment together. The same lazy but restless disposition, which loves sloth and hates quiet, directs the politicians, when they come to work for supplying the place of what they have destroyed. To make everything the reverse of what they have seen is quite as easy as to destroy. No difficulties occur in what has never been tried. Criticism is almost baffled in discovering the defects of what has not existed; and eager enthusiasm and cheating

[1] A leading member of the Assembly, M. Rabaud de St. Etienne, has expressed the principle of all their proceedings as clearly as possible:—Nothing can be more simple:—"*Tous les établissemens en France couronnent le malheur du peuple: pour le rendre heureux il faut le rénouveler; changer ses idées; changer ses loix; changer ses mœurs; . . . . . changer les hommes; changer les choses; changer les mots . . . . tout détruire; oui, tout détruire; puisque tout est à recréer.*" This gentleman was chosen president in an assembly not sitting at the *Quinze-vingt*, or the *Petits Maisons*; and composed of persons giving themselves out to be rational beings; but neither his ideas, language, or conduct, differ in the smallest degree from the discourses, opinions, and actions of those within and without the Assembly, who direct the operations of the machine now at work in France.

hope have all the wide field of imagination, in which they may expatiate with little or no opposition.

At once to preserve and to reform is quite another thing. When the useful parts of an old establishment are kept, and what is superadded is to be fitted to what is retained, a vigorous mind, steady, persevering attention, various powers of comparison and combination, and the resources of an understanding fruitful in expedients, are to be exercised; they are to be exercised in a continued conflict with the combined force of opposite vices, with the obstinacy that rejects all improvement, and the levity that is fatigued and disgusted with everything of which it is in possession. But you may object—"A process of this kind is slow. It is not fit for an assembly, which glories in performing in a few months the work of ages. Such a mode of reforming, possibly, might take up many years." Without question it might; and it ought. It is one of the excellencies of a method in which time is amongst the assistants, that its operation is slow, and in some cases almost imperceptible. If circumspection and caution are a part of wisdom, when we work only upon inanimate matter, surely they become a part of duty too, when the subject of our demolition and construction is not brick and timber, but sentient beings, by the sudden alteration of whose state, condition, and habits, multitudes may be rendered miserable. But it seems as if it were the prevalent opinion in Paris, that an unfeeling heart, and an undoubting confidence, are the sole qualifications for a perfect legislator. Far different are my ideas of that high office. The true lawgiver ought to have a heart full of sensibility. He ought to love and respect his kind, and to fear himself. It may be allowed to his temperament to catch his ultimate object with an intuitive glance; but his movements towards it ought to be deliberate. Political arrangement, as it is a work for social ends, is to be only wrought by social means. There mind must conspire with mind. Time is required to produce that union of minds which alone can produce all the good we aim at. Our patience will achieve more than our force. If I might venture to appeal to what is so much out of fashion in Paris, I mean to experience, I should tell you, that in my course I have known, and, according to my measure, have co-operated with great men; and I have never yet

seen any plan which has not been mended by the observations of those who were much inferior in understanding to the person who took the lead in the business. By a slow but well-sustained progress, the effect of each step is watched; the good or ill success of the first gives light to us in the second; and so, from light to light, we are conducted with safety through the whole series. We see that the parts or the system do not clash. The evils latent in the most promising contrivances are provided for as they arise. One advantage is as little as possible sacrificed to another. We compensate, we reconcile, we balance. We are enabled to unite into a consistent whole the various anomalies and contending principles that are found in the minds and affairs of men. From hence arises, not an excellence in simplicity, but one far superior, an excellence in composition. Where the great interests of mankind are concerned through a long succession of generations, that succession ought to be admitted into some share in the councils which are so deeply to affect them. If justice requires this, the work itself requires the aid of more minds than one age can furnish. It is from this view of things that the best legislators have been often satisfied with the establishment of some sure, solid, and ruling principle in government; a power like that which some of the philosophers have called a plastic nature; and having fixed the principle, they have left it afterwards to its own operation.

To proceed in this manner, that is, to proceed with a presiding principle, and a prolific energy, is with me the criterion of profound wisdom. What your politicians think the marks of a bold, hardy genius, are only proofs of a deplorable want of ability. By their violent haste and their defiance of the process of nature, they are delivered over blindly to every projector and adventurer, to every alchymist and empiric. They despair of turning to account anything that is common. Diet is nothing in their system of remedy. The worst of it is, that this their despair of curing common distempers by regular methods, arises not only from defect of comprehension, but, I fear, from some malignity of disposition. Your legislators seem to have taken their opinions of all professions, ranks, and offices, from the declamations and buffooneries of satirists; who would themselves be astonished if they were held to the letter of their own descrip-

tions. By listening only to these, your leaders regard all things only on the side of their vices and faults, and view those vices and faults under every colour of exaggeration. It is undoubtedly true, though it may seem paradoxical; but in general, those who are habitually employed in finding and displaying faults, are unqualified for the work of reformation: because their minds are not only unfurnished with patterns of the fair and good, but by habit they come to take no delight in the contemplation of those things. By hating vices too much, they come to love men too little. It is therefore not wonderful, that they should be indisposed and unable to serve them. From hence arises the complexional disposition of some of your guides to pull everything to pieces. At this malicious game they display the whole of their *quadrimanous* activity. As to the rest, the paradoxes of eloquent writers, brought forth purely as a sport of fancy, to try their talents, to rouse attention and excite surprise, are taken up by these gentlemen, not in the spirit of the original authors, as means of cultivating their taste and improving their style. These paradoxes become with them serious grounds of action, upon which they proceed in regulating the most important concerns of the state. Cicero ludicrously describes Cato as endeavouring to act, in the commonwealth, upon the school paradoxes, which exercised the wits of the junior students in the Stoic philosophy. If this was true of Cato, these gentlemen copy after him in the manner of some persons who lived about his time—*pede nudo Catonem.* Mr. Hume told me that he had from Rousseau himself the secret of his principles of composition. That acute though eccentric observer had perceived, that to strike and interest the public, the marvellous must be produced; that the marvellous of the heathen mythology had long since lost its effects; that giants, magicians, fairies, and heroes of romance which succeeded, had exhausted the portion of credulity which belonged to their age; that now nothing was left to the writer but that species of the marvellous which might still be produced, and with as great an effect as ever, though in another way; that is, the marvellous in life, in manners, in characters, and in extraordinary situations, giving rise to new and unlooked-for strokes in politics and morals. I believe, that were Rousseau alive, and in

one of his lucid intervals, he would be shocked at the practical phrensy of his scholars, who in their paradoxes are servile imitators, and even in their incredulity discover an implicit faith.

Men who undertake considerable things, even in a regular way, ought to give us ground to presume ability. But the physician of the state, who, not satisfied with the cure of distempers, undertakes to regenerate constitutions, ought to show uncommon powers. Some very unusual appearances of wisdom ought to display themselves on the face of the designs of those, who appeal to no practice, and who copy no model. Has any such been manifested? I shall make a view (it shall for the subject be a very short one) of what the Assembly has done, with regard, first, to the constitution of the legislature; in the next place, to that of the executive power; then to that of the judicature; afterwards to the model of the army; and conclude with the system of finance; to see whether we can discover in any part of their schemes the portentous ability, which may justify these bold undertakers in the superiority which they assume over mankind.

It is in the model of the sovereign and presiding part of this new republic, that we should expect their grand display. Here they were to prove their title to their proud demands. For the plan itself at large, and for the reasons on which it is grounded, I refer to the journals of the Assembly of the 29th of September, 1789, and to the subsequent proceedings which have made any alterations in the plan. So far as in a matter somewhat confused I can see light, the system remains substantially as it has been originally framed. My few remarks will be such as regard its spirit, its tendency, and its fitness for framing a popular commonwealth, which they profess theirs to be, suited to the ends for which any commonwealth, and particularly such a commonwealth, is made. At the same time, I mean to consider its consistency with itself and its own principles.

Old establishments are tried by their effects. If the people are happy, united, wealthy, and powerful, we presume the rest. We conclude that to be good from whence good is derived. In old establishments various correctives have been found for their aberrations from theory. Indeed they

are the results of various necessities and expediences. They are not often constructed after any theory; theories are rather drawn from them. In them we often see the end best obtained, where the means seem not perfectly reconcilable to what we may fancy was the original scheme. The means taught by experience may be better suited to political ends than those contrived in the original project. They again react upon the primitive constitution, and sometimes improve the design itself, from which they seem to have departed. I think all this might be curiously exemplified in the British Constitution. At worst, the errors and deviations of every kind in reckoning are found and computed, and the ship proceeds in her course. This is the case of old establishments; but in a new and merely theoretic system, it is expected that every contrivance shall appear, on the face of it, to answer its ends; especially where the projectors are no way embarrassed with an endeavour to accommodate the new building to an old one, either in the walls or on the foundations.

The French builders, clearing away as mere rubbish whatever they found, and, like their ornamental gardeners, forming everything into an exact level, propose to rest the whole local and general legislature on three bases of three different kinds; one geometrical, one arithmetical, and the third financial; the first of which they call the *basis of territory*; the second, the *basis of population*; and the third, the *basis of contribution*. For the accomplishment of the first of these purposes, they divide the area of their country into eighty-three pieces, regularly square, of eighteen leagues by eighteen. These large divisions are called *Departments*. These they portion, proceeding by square measurement, into seventeen hundred and twenty districts, called *Communes*. These again they subdivide, still proceeding by square measurement, into smaller districts called *Cantons*, making in all 6400.

At first view this geometrical basis of theirs presents not much to admire or to blame. It calls for no great legislative talents. Nothing more than an accurate land surveyor, with his chain, sight, and theodolite, is requisite for such a plan as this. In the old divisions of the country, various accidents at various times, and the ebb and flow of various properties and jurisdictions, settled their bounds These bounds

were not made upon any fixed system undoubtedly. They were subject to some inconveniences: but they were inconveniences for which use had found remedies, and habit had supplied accommodation and patience. In this new pavement of square within square, and this organization, and semi-organization, made on the system of Empedocles and Buffon, and not upon any politic principle, it is impossible that innumerable local inconveniences, to which men are not habituated, must not arise. But these I pass over, because it requires an accurate knowledge of the country, which I do not possess, to specify them.

When these state surveyors came to take a view of their work of measurement, they soon found, that in politics the most fallacious of all things was geometrical demonstration. They had then recourse to another basis (or rather buttress) to support the building, which tottered on that false foundation. It was evident, that the goodness of the soil, the number of the people, their wealth, and the largeness of their contribution, made such infinite variations between square and square, as to render mensuration a ridiculous standard of power in the commonwealth, and equality in geometry the most unequal of all measures in the distribution of men. However, they could not give it up. But dividing their political and civil representation into three parts, they allotted one of those parts to the square measurement, without a single fact or calculation to ascertain whether this territorial proportion of representation was fairly assigned, and ought upon any principle really to be a third. Having however given to geometry this portion (of a third for her dower) out of compliment, I suppose, to that sublime science, they left the other two to be scuffled for between the other parts, population and contribution.

When they came to provide for population, they were not able to proceed quite so smoothly as they had done in the field of their geometry. Here their arithmetic came to bear upon their juridical metaphysics. Had they stuck to their metaphysic principles, the arithmetical process would be simple indeed. Men, with them, are strictly equal, and are entitled to equal rights in their own government. Each head, on this system, would have its vote, and every man would vote directly for the person who was to represent him.

in the legislature. "But soft--by regular degrees, not yet." This metaphysic principle, to which law, custom, usage, policy, reason, were to yield, is to yield itself to their pleasure. There must be many degrees, and some stages, before the representative can come in contact with his constituent. Indeed, as we shall soon see, these two persons are to have no sort of communion with each other. First, the voters in the *Canton*, who compose what they call *primary assemblies*, are to have a *qualification*. What! a qualification on the indefeasible rights of men? Yes; but it shall be a very small qualification. Our injustice shall be very little oppressive; only the local valuation of three days' labour paid to the public. Why, this is not much, I readily admit, for anything but the utter subversion of your equalising principle. As a qualification it might as well be let alone; for it answers no one purpose for which qualifications are established; and, on your ideas, it excludes from a vote the man of all others whose natural equality stands the most in need of protection and defence: I mean the man who has nothing else but his natural equality to guard him. You order him to buy the right, which you before told him nature had given to him gratuitously at his birth, and of which no authority on earth could lawfully deprive him. With regard to the person who cannot come up to your market, a tyrannous aristocracy, as against him, is established at the very outset, by you who pretend to be its sworn foe.

The gradation proceeds. These primary assemblies of the *Canton* elect deputies to the *Commune;* one for every two hundred qualified inhabitants. Here is the first medium put between the primary elector and the representative legislator; and here a new turnpike is fixed for taxing the rights of men with a second qualification: for none can be elected into the *Commune* who does not pay the amount of ten days' labour. Nor have we yet done. There is still to be another gradation.[1] These *Communes*, chosen by the *Canton*, choose to the

[1] The Assembly, in executing the plan of their committee, made some alterations. They have struck out one stage in these gradations; this removes a part of the objection; but the main objection, namely, that in their scheme the first constituent voter has no connexion with the representative legislator, remains in all its force. There are other alterations, some possibly for the better, some certainly for the worse; but to the author the

Department; and the deputies of the *Department* choose their deputies to the *National Assembly.* Here is a third barrier of a senseless qualification. Every deputy to the National Assembly must pay, in direct contribution, to the value of a *mark of silver.* Of all these qualifying barriers we must think alike; that they are impotent to secure independence; strong only to destroy the rights of men.

In all this process, which in its fundamental elements affects to consider only *population* upon a principle of natural right, there is a manifest attention to *property;* which, however just and reasonable on other schemes, is on theirs perfectly unsupportable.

When they come to their third basis, that of *Contribution,* we find that they have more completely lost sight of their rights of men. This last basis rests *entirely* on property. A principle totally different from the equality of men, and utterly irreconcilable to it, is thereby admitted; but no sooner is this principle admitted, than (as usual) it is subverted; and it is not subverted (as we shall presently see) to approximate the inequality of riches to the level of nature. The additional share in the third portion of representation (a portion reserved exclusively for the higher contribution) is made to regard the *district* only, and not the individuals in it who pay. It is easy to perceive, by the course of their reasonings, how much they were embarrassed by their contradictory ideas of the rights of men and the privileges of riches. The committee of constitution do as good as admit that they are wholly irreconcilable. "The relation with regard to the contributions, is without doubt *null* (say they) when the question is on the balance of the political rights as between individual and individual; without which *personal equality would be destroyed,* and *an aristocracy of the rich* would be established. But this inconvenience entirely disappears when the proportional relation of the contribution is only considered in the *great masses,* and is solely between province and province; it serves in that case only to form a just reciprocal proportion between the cities, without affecting the personal rights of the citizens."

Here the principle of *contribution,* as taken between man

merit or demerit of these smaller alterations appears to be of no moment, where the scheme itself is fundamentally vicious and absurd.

and man, is reprobated as *null*, and destructive to equality: and as pernicious too; because it leads to the establishment of an *aristocracy of the rich*. However, it must not be abandoned. And the way of getting rid of the difficulty is to establish the inequality as between department and department, leaving all the individuals in each department upon an exact par. Observe, that this parity between individuals had been before destroyed, when the qualifications within the departments were settled; nor does it seem a matter of great importance whether the equality of men be injured by masses or individually. An individual is not of the same importance in a mass represented by a few, as in a mass represented by many. It would be too much to tell a man jealous of his equality, that the elector has the same franchise who votes for three members as he who votes for ten.

Now take it in the other point of view, and let us suppose their principle of representation according to contribution, that is, according to riches, to be well imagined, and to be a necessary basis for their republic. In this their third basis they assume, that riches ought to be respected, and that justice and policy require that they should entitle men, in some mode or other, to a larger share in the administration of public affairs; it is now to be seen how the Assembly provides for the pre-eminence, or even for the security, of the rich, by conferring, in virtue of their opulence, that larger measure of power to their district which is denied to them personally. I readily admit (indeed I should lay it down as a fundamental principle) that in a republican government, which has a democratic basis, the rich do require an additional security above what is necessary to them in monarchies. They are subject to envy, and through envy to oppression. On the present scheme it is impossible to divine what advantage they derive from the aristocratic preference upon which the unequal representation of the masses is founded. The rich cannot feel it, either as a support to dignity, or as security to fortune: for the aristocratic mass is generated from purely democratic principles; and the preference given to it in the general representation has no sort of reference to, or connexion with, the persons, upon account of whose property this superiority of the mass is established. If the contrivers of this scheme meant any

sort of favour to the rich, in consequence of their contribution, they ought to have conferred the privilege either on the individual rich, or on some class formed of rich persons (as historians represent Servius Tullius to have done in the early constitution of Rome); because the contest between the rich and the poor is not a struggle between corporation and corporation, but a contest between men and men; a competition not between districts, but between descriptions. It would answer its purpose better if the scheme were inverted; that the votes of the masses were rendered equal; and that the votes within each mass were proportioned to property.

Let us suppose one man in a district (it is an easy supposition) to contribute as much as an hundred of his neighbours. Against these he has but one vote. If there were but one representative for the mass, his poor neighbours would outvote him by an hundred to one for that single representative. Bad enough. But amends are to be made him. How? The district, in virtue of his wealth, is to choose, say ten members instead of one: that is to say, by paying a very large contribution he has the happiness of being outvoted, an hundred to one, by the poor, for ten representatives, instead of being outvoted exactly in the same proportion for a single member. In truth, instead of benefiting by this superior quantity of representation, the rich man is subjected to an additional hardship. The increase of representation within his province sets up nine persons more, and as many more than nine as there may be democratic candidates, to cabal and intrigue, and to flatter the people at his expense and to his oppression. An interest is by this means held out to multitudes of the inferior sort, in obtaining a salary of eighteen livres a day, (to them a vast object,) besides the pleasure of a residence in Paris, and their share in the government of the kingdom. The more the objects of ambition are multiplied and become democratic, just in that proportion the rich are endangered.

Thus it must fare between the poor and the rich in the province deemed aristocratic, which in its internal relation is the very reverse of that character. In its external relation, that is, its relation to the other provinces, I cannot see how the unequal representation, which is given to masses on

account of wealth, becomes the means of preserving the equipoise and the tranquillity of the commonwealth. For if it be one of the objects to secure the weak from being crushed by the strong, (as in all society undoubtedly it is,) how are the smaller and poorer of these masses to be saved from the tyranny of the more wealthy? Is it by adding to the wealthy further and more systematical means of oppressing them? When we come to a balance of representation between corporate bodies, provincial interests, emulations, and jealousies are full as likely to arise among them as among individuals; and their divisions are likely to produce a much hotter spirit of dissension, and something leading much more nearly to a war.

I see that these aristocratic masses are made upon what is called the principle of direct contribution. Nothing can be a more unequal standard than this. The indirect contribution, that which arises from duties on consumption, is in truth a better standard, and follows and discovers wealth more naturally than this of direct contribution. It is difficult indeed to fix a standard of local preference on account of the one, or of the other, or of both, because some provinces may pay the more of either or of both, on account of causes not intrinsic, but originating from those very districts over whom they have obtained a preference in consequence of their ostensible contribution. If the masses were independent, sovereign bodies, who were to provide for a federative treasury by distinct contingents, and that the revenue had not (as it has) many impositions running through the whole, which affect men individually, and not corporately, and which, by their nature, confound all territorial limits, something might be said for the basis of contribution as founded on masses. But of all things, this representation, to be measured by contribution, is the most difficult to settle upon principles of equity in a country, which considers its districts as members of a whole. For a great city, such as Bourdeaux, or Paris, appears to pay a vast body of duties, almost out of all assignable proportion to other places, and its mass is considered accordingly. But are these cities the true contributors in that proportion? No. The consumers of the commodities imported into Bourdeaux, who are scattered through all France, pay the import duties of Bourdeaux. The produce of the vintage

Guienne and Languedoc give to that city the means o... contribution growing out of an export commerce. The landholders who spend their estates in Paris, and are thereby the creators of that city, contribute for Paris from the provinces out of which their revenues arise. Very nearly the same arguments will apply to the representative share given on account of *direct* contribution: because the direct contribution must be assessed on wealth real or presumed; and that local wealth will itself arise from causes not local, and which therefore in equity ought not to produce a local preference.

It is very remarkable, that in this fundamental regulation, which settles the representtaion of the mass upon the direct contribution, they have not yet settled how that direct contribution shall be laid, and how apportioned. Perhaps there is some latent policy towards the continuance of the present Assembly in this strange procedure. However, until they do this, they can have no certain constitution. It must depend at last upon the system of taxation, and must vary with every variation in that system. As they have contrived matters, their taxation does not so much depend on their constitution, as their constitution on their taxation. This must introduce great confusion among the masses; as the variable qualification for votes within the district must, if ever real contested elections take place, cause infinite internal controversies.

To compare together the three bases, not on their political reason, but on the ideas on which the Assembly works, and to try its consistency with itself, we cannot avoid observing, that the principle which the committee call the basis of *population*, does not begin to operate from the same point with the two other principles called the bases of *territory* and of *contribution*, which are both of an aristocratic nature. The consequence is, that, where all three begin to operate together, there is the most absurd inequality produced by the operation of the former on the two latter principles. Every canton contains four square leagues, and is estimated to contain, on the average, 4000 inhabitants, or 680 voters in the *primary assemblies*, which vary in numbers with the population of the canton, and send *one deputy* to the *commune* for every 200 voters. *Nine cantons* make a *commune*.

Now let us take *a canton* containing *a sea-port town of trade*, or *a great manufacturing town*. Let us suppose the population of this canton to be 12,700 inhabitants, or 2193 voters, forming *three primary assemblies*, and sending *ten deputies* to the *commune*.

Oppose to this *one* canton *two* others of the remaining eight in the same commune. These we may suppose to have their fair population of 4000 inhabitants and 680 voters each, or 8000 inhabitants and 1360 voters, both together. These will form only *two primary assemblies*, and send only *six* deputies to the *commune*.

When the assembly of the *commune* comes to vote on the *basis of territory*, which principle is first admitted to operate in that assembly, the *single canton*, which has *half* the territory of the *other two*, will have *ten* voices to *six* in the election of *three deputies* to the assembly of the department, chosen on the express ground of a representation of territory. This inequality, striking as it is, will be yet highly aggravated, if we suppose, as we fairly may, the *several* other cantons of the *commune* to fall proportionably short of the average population, as much as the *principal canton* exceeds it.

Now as to *the basis of contribution*, which also is a principle admitted first to operate in the assembly of the *commune*. Let us again take *one* canton, such as is stated above. If the whole of the direct contributions paid by a great trading or manufacturing town be divided equally among the inhabitants, each individual will be found to pay much more than an individual living in the country according to the same average. The whole paid by the inhabitants of the former will be more than the whole paid by the inhabitants of the latter—we may fairly assume one-third more. Then the 12,700 inhabitants, or 2193 voters of the canton, will pay as much as 19,050 inhabitants, or 3289 voters of the *other cantons*, which are nearly the estimated proportion of inhabitants and voters of *five* other cantons. Now the 2193 voters will, as I before said, send only *ten* deputies to the assembly; the 3289 voters will send *sixteen*. Thus, for an *equal* share in the contribution of the whole *commune*, there will be a difference of *sixteen* voices to *ten* in voting for deputies to be chosen on the principle of representing the general contribution of the whole *commune*.

By the same mode of computation we shall find 15,875 inhabitants, or 2741 voters of the *other* cantons, who pay *one-sixth* LESS to the contribution of the whole *commune,* will have *three* voices MORE than the 12,700 inhabitants, or 2193 voters of the *one* canton.

Such is the fantastical and unjust inequality between mass and mass, in this curious repartition of the rights of representation arising out of *territory* and *contribution.* The qualifications which these confer are in truth negative qualifications, that give a right in an inverse proportion to the possession of them.

In this whole contrivance of the three bases, consider it in any light you please, I do not see a variety of objects reconciled in one consistent whole, but several contradictory principles reluctantly and irreconcilably brought and held together by your philosophers, like wild beasts shut up in a cage, to claw and bite each other to their mutual destruction.

I am afraid I have gone too far into their way of considering the formation of a constitution. They have much, but bad, metaphysics; much, but bad, geometry; much, but false, proportionate arithmetic; but if it were all as exact as metaphysics, geometry, and arithmetic ought to be, and if their schemes were perfectly consistent in all their parts, it would make only a more fair and sightly vision. It is remarkable, that, in a great arrangement of mankind, not one reference whatsoever is to be found to anything moral or anything politic; nothing that relates to the concerns, the actions, the passions, the interests of men. *Hominem non sapiunt.*

You see I only consider this constitution as electoral, and leading by steps to the National Assembly. I do not enter into the internal government of the departments, and their genealogy through the communes and cantons. These local governments are, in the original plan, to be as nearly as possible composed in the same manner and on the same principles with the elective assemblies. They are each of them bodies perfectly compact and rounded in themselves.

You cannot but perceive in this scheme, that it has a direct and immediate tendency to sever France into a variety of republics, and to render them totally independent of each

other without any direct constitutional means of coherence, connexion, or subordination, except what may be derived from their acquiescence in the determinations of the general congress of the ambassadors from each independent republic. Such in reality is the National Assembly, and such governments I admit do exist in the world, though in forms infinitely more suitable to the local and habitual circumstances of their people. But such associations, rather than bodies politic, have generally been the effect of necessity, not choice; and I believe the present French power is the very first body of citizens, who, having obtained full authority to do with their country what they pleased, have chosen to dissever it in this barbarous manner.

It is impossible not to observe, that, in the spirit of this geometrical distribution, and arithmetical arrangement, these pretended citizens treat France exactly like a country of conquest. Acting as conquerors, they have imitated the policy of the harshest of that harsh race. The policy of such barbarous victors, who contemn a subdued people, and insu. their feelings, has ever been, as much as in them lay, t destroy all vestiges of the ancient country, in religion, in polity, in laws, and in manners; to confound all territorial limits; to produce a general poverty; to put up their properties to auction; to crush their princes, nobles, and pontiffs; to lay low everything which had lifted its head above the level, or which could serve to combine or rally, in their distresses, the disbanded people, under the standard of old opinion. They have made France free in the manner in which those sincere friends to the rights of mankind, the Romans, freed Greece, Macedon, and other nations. They destroyed the bonds of their union, under colour of providing for the independence of each of their cities.

When the members who compose these new bodies of cantons, communes, and departments, arrangements purposely produced through the medium of confusion, begin to act, they will find themselves in a great measure strangers to one another. The electors and elected throughout, especially in the rural *cantons*, will be frequently without any civil habitudes or connexions, or any of that natural discipline which is the soul of a true republic. Magistrates and collectors of revenue are now no longer acquainted with their

districts, bishops with their dioceses, or curates with their parishes. These new colonies of the rights of men bear a strong resemblance to that sort of military colonies which Tacitus has observed upon in the declining policy of Rome. In better and wiser days (whatever course they took with foreign nations) they were careful to make the elements of methodical subordination and settlement to be coeval; and even to lay the foundations of civil discipline in the military.[1] But, when all the good arts had fallen into ruin, they proceeded, as your Assembly does, upon the equality of men, and with as little judgment, and as little care for those things which make a republic tolerable or durable. But in this, as well as almost every instance, your new commonwealth is born, and bred, and fed, in those corruptions which mark degenerated and worn-out republics. Your child comes into the world with the symptoms of death; the *facies Hippocratica* forms the character of its physiognomy, and the prognostic of its fate.

The legislators who framed the ancient republics knew that their business was too arduous to be accomplished with no better apparatus than the metaphysics of an undergraduate, and the mathematics and arithmetic of an exciseman. They had to do with men, and they were obliged to study human nature. They had to do with citizens, and they were obliged to study the effects of those habits which are communicated by the circumstances of civil life. They were sensible that the operation of this second nature on the first produced a new combination; and thence arose many diversities amongst men, according to their birth, their education, their professions, the periods of their lives, their residence in towns or in the country, their several ways of acquiring and of fixing property, and according to the quality of the property itself, all which rendered them as it were so many different species of animals. From hence they thought

[1] Non, ut olim, universæ legiones deducebantur cum tribunis, et centurionibus, et sui cujusque ordinis militibus, ut consensu et caritate rempublicam afficerent; sed ignoti inter se, diversis manipulis, sine rectore, sine affectibus mutuis, quasi ex alio genere mortalium, repente in unum collecti, numerus magis quam colonia. Tac. Annal. l. 14, sect. 27. All this will be still more applicable to the unconnected, rotatory, biennial national assemblies. in this absurd and senseless constitution.

themselves obliged to dispose their citizens into such classes, and to place them in such situations in the state, as their peculiar habits might qualify them to fill, and to allot to them such appropriated privileges as might secure to them what their specific occasions required, and which might furnish to each description such force as might protect it in the conflict caused by the diversity of interests, that must exist, and must contend, in all complex society: for the legislator would have been ashamed, that the coarse husbandman should well know how to assort and to use his sheep, horses, and oxen, and should have enough of common sense, not to abstract and equalize them all into animals, without providing for each kind an appropriate food, care, and employment; whilst he, the economist, disposer, and shepherd of his own kindred, subliming himself into an airy metaphysician, was resolved to know nothing of his flocks but as men in general. It is for this reason that Montesquieu observed very justly, that in their classification of the citizens, the great legislators of antiquity made the greatest display of their powers, and even soared above themselves. It is here that your modern legislators have gone deep into the negative series, and sunk even below their own nothing. As the first sort of legislators attended to the different kinds of citizens, and combined them into one commonwealth, the others, the metaphysical and alchemistical legislators, have taken the direct contrary course. They have attempted to confound all sorts of citizens, as well as they could, into one homogeneous mass; and then they divided this their amalgama into a number of incoherent republics. They reduce men to loose counters, merely for the sake of simple telling, and not to figures whose power is to arise from their place in the table. The elements of their own metaphysics might have taught them better lessons. The troll of their categorical table might have informed them that there was something else in the intellectual world besides *substance* and *quantity*. They might learn from the catechism of metaphysics that there were eight heads more,[1] in every complex deliberation, which they have never thought of; though these, of all the ten, are the subjects on which the skill of man can operate anything at all.

[1] Qualitas, Relatio, Actio, Passio, Ubi, Quando, Situs, Habitus.

So far from this able disposition of some of the old republican legislators, which follows with a solicitous accuracy the moral conditions and propensities of men, they have levelled and crushed together all the orders which they found, even under the coarse unartificial arrangement of the monarchy, in which mode of government the classing of the citizens is not of so much importance as in a republic. It is true, however, that every such classification, if properly ordered, is good in all forms of government; and composes a strong barrier against the excesses of despotism, as well as it is the necessary means of giving effect and permanence to a republic. For want of something of this kind, if the present project of a republic should fail, all securities to a moderated freedom fail along with it; all the indirect restraints which mitigate despotism are removed; insomuch that if monarchy should ever again obtain an entire ascendency in France, under this or under any other dynasty, it will probably be, if not voluntarily tempered, at setting out, by the wise and virtuous counsels of the prince, the most completely arbitrary power that has ever appeared on earth. This is to play a most desperate game.

The confusion which attends on all such proceedings, they even declare to be one of their objects, and they hope to secure their constitution by a terror of a return of those evils which attended their making it. "By this," say they, "its destruction will become difficult to authority, which cannot break it up without the entire disorganization of the whole state." They presume, that if this authority should ever come to the same degree of power that they have acquired, it would make a more moderate and chastised use of it, and would piously tremble entirely to disorganize the state in the savage manner that they have done. They expect, from the virtues of returning despotism, the security which is to be enjoyed by the offspring of their popular vices.

I wish, Sir, that you and my readers would give an attentive perusal to the work of M. de Calonne, on this subject. It is indeed not only an eloquent, but an able and instructive, performance. I confine myself to what he says relative to the constitution of the new state, and to the condition of the revenue. As to the disputes of this minister with his rivals, I do not wish to pronounce upon them. As little do I

mean to hazard any opinion concerning his ways and means, financial or political, for taking his country out of its present disgraceful and deplorable situation of servitude, anarchy, bankruptcy, and beggary. I cannot speculate quite so sanguinely as he does: but he is a Frenchman, and has a closer duty relative to those objects, and better means of judging of them, than I can have. I wish that the formal avowal which he refers to, made by one of the principal leaders in the Assembly, concerning the tendency of their scheme to bring France not only from a monarchy to a republic, but from a republic to a mere confederacy, may be very particularly attended to. It adds new force to my observations: and indeed M. de Calonne's work supplies my deficiencies by many new and striking arguments on most of the subjects of this letter.[1]

It is this resolution, to break their country into separate republics, which has driven them into the greatest number of their difficulties and contradictions. If it were not for this, all the questions of exact equality, and these balances, never to be settled, of individual rights, population, and contribution, would be wholly useless. The representation, though derived from parts, would be a duty which equally regarded the whole. Each deputy to the Assembly would be the representative of France, and of all its descriptions, of the many and of the few, of the rich and of the poor, of the great districts and of the small. All these districts would themselves be subordinate to some standing authority, existing independently of them, an authority in which their representation, and everything that belongs to it, originated, and to which it was pointed. This standing, unalterable, fundamental government would make, and it is the only thing which could make, that territory truly and properly a whole. With us, when we elect popular representatives, we send them to a council, in which each man individually is a subject, and submitted to a government complete in all its ordinary functions. With you the elective Assembly is the sovereign, and the sole sovereign; all the members are therefore integral parts of this sole sovereignty. But with us it is totally different. With us the representative, separated from the other parts, can have no action and no existence.

[1] See l'Etat de la France, p. 363.

The government is the point of reference of the several members and districts of our representation. This is the centre of our unity. This government of reference is a trustee for the *whole*, and not for the parts. So is the other branch of our public council, I mean the House of Lords. With us the king and the lords are several and joint securities for the equality of each district, each province, each city. When did you hear in Great Britain of any province suffering from the inequality of its representation; what district from having no representation at all? Not only our monarchy and our peerage secure the equality on which our unity depends, but it is the spirit of the House of Commons itself. The very inequality of representation, which is so foolishly complained of, is perhaps the very thing which prevents us from thinking or acting as members for districts. Cornwall elects as many members as all Scotland. But is Cornwall better taken care of than Scotland? Few trouble their heads about any of your bases, out of some giddy clubs. Most of those who wish for any change, upon any plausible grounds, desire it on different ideas.

Your new constitution is the very reverse of ours in its principle; and I am astonished how any persons could dream of holding out anything done in it, as an example for Great Britain. With you there is little, or rather no, connexion between the last representative and the first constituent. The member who goes to the National Assembly is not chosen by the people, nor accountable to them. There are three elections before he is chosen: two sets of magistracy intervene between him and the primary assembly, so as to render him, as I have said, an ambassador of a state, and not the representative of the people within a state. By this the whole spirit of the election is changed; nor can any corrective, which your constitution-mongers have devised, render him anything else than what he is. The very attempt to do it would inevitably introduce a confusion, if possible, more horrid than the present. There is no way to make a connexion between the original constituent and the representative, but by the circuitous means which may lead the candidate to apply in the first instance to the primary electors, in order that by their authoritative instructions (and something more perhaps) these primary electors may force the two suc-

ceeding bodies of electors to make a choice agreeable to their wishes. But this would plainly subvert the whole scheme. It would be to plunge them back into that tumult and confusion of popular election, which, by their interposed gradation of elections, they mean to avoid, and at length to risk the whole fortune of the state with those who have the least knowledge of it, and the least interest in it. This is a perpetual dilemma, into which they are thrown by the vicious, weak, and contradictory principles they have chosen. Unless the people break up and level this gradation, it is plain that they do not at all substantially elect to the Assembly; indeed they elect as little in appearance as reality.

What is it we all seek for in an election? To answer its real purposes, you must first possess the means of knowing the fitness of your man; and then you must retain some hold upon him by personal obligation or dependence. For what end are these primary electors complimented, or rather mocked, with a choice? They can never know anything of the qualities of him that is to serve them, nor has he any obligation whatsoever to them. Of all the powers unfit to be delegated by those who have any real means of judging, that most peculiarly unfit is what relates to a *personal* choice. In case of abuse, that body of primary electors never can call the representative to an account for his conduct. He is too far removed from them in the chain of representation. If he acts improperly at the end of his two years' lease, it does not concern him for two years' more. By the new French constitution the best and the wisest representatives go equally with the worst into this *Limbus Patrum*. Their bottoms are supposed foul, and they must go into dock to be refitted. Every man who has served in an assembly is ineligible for two years after. Just as these magistrates begin to learn their trade, like chimney-sweepers, they are disqualified for exercising it. Superficial, new, petulant acquisition, and interrupted, dronish, broken, ill recollection, is to be the destined character of all your future governors. Your constitution has too much of jealousy to have much of sense in it. You consider the breach of trust in the representative so principally, that you do not at all regard the question of his fitness to execute it.

This purgatory interval is not unfavourable to a faithless

representative, who may be as good a canvasser as he was a bad governor. In this time he may cabal himself into a superiority over the wisest and most virtuous. As, in the end, all the members of this elective constitution are equally fugitive, and exist only for the election, they may be no longer the same persons who had chosen him, to whom he is to be responsible when he solicits for a renewal of his trust. To call all the secondary electors of the *Commune* to account, is ridiculous, impracticable, and unjust; they may themselves have been deceived in their choice, as the third set of electors, those of the *Department*, may be in theirs. In your elections responsibility cannot exist.

Finding no sort of principle of coherence with each other in the nature and constitution of the several new republics of France, I considered what cement the legislators had provided for them from any extraneous materials. Their confederations, their *spectacles*, their civic feasts, and their enthusiasm, I take no notice of; they are nothing but mere tricks; but tracing their policy through their actions, I think I can distinguish the arrangements by which they propose to hold these republics together. The first, is the *confiscation*, with the compulsory paper currency annexed to it; the second, is the supreme power of the city of Paris; the third, is the general army of the state. Of this last I shall reserve what I have to say, until I come to consider the army as a head by itself.

As to the operation of the first (the confiscation and paper currency) merely as a cement, I cannot deny that these, the one depending on the other, may for some time compose some sort of cement, if their madness and folly in the management, and in the tempering of the parts together, does not produce a repulsion in the very outset. But allowing to the scheme some coherence and some duration, it appears to me, that if, after a while, the confiscation should not be found sufficient to support the paper coinage, (as I am morally certain it will not,) then, instead of cementing, it will add infinitely to the dissociation, distraction, and confusion of these confederate republics, both with relation to each other, and to the several parts within themselves. But if the confiscation shou'd so far succeed as to sink the paper currency, the cement is gone with the circulation. In the

mean time its binding force will be very uncertain, and it will straiten or relax with every variation in the credit of the paper.

One thing only is certain in this scheme, which is an effect seemingly collateral, but direct, I have no doubt, in the minds of those who conduct this business, that is, its effect in producing an *Oligarchy* in every one of the republics. A paper circulation, not founded on any real money deposited or engaged for, amounting already to four-and-forty millions of English money, and this currency by force substituted in the place of the coin of the kingdom, becoming thereby the substance of its revenue, as well as the medium of all its commercial and civil intercourse, must put the whole of what power, authority, and influence is left, in any form whatsoever it may assume, into the hands of the managers and conductors of this circulation.

In England we feel the influence of the bank; though it is only the centre of a voluntary dealing. He knows little indeed of the influence of money upon mankind, who does not see the force of the management of a monied concern, which is so much more extensive, and in its nature so much more depending on the managers, than any of ours. But this is not merely a money concern. There is another member in the system inseparably connected with this money management. It consists in the means of drawing out at discretion portions of the confiscated lands for sale; and carrying on a process of continual transmutation of paper into land, and land into paper. When we follow this process in its effects, we may conceive something of the intensity of the force with which this system must operate. By this means the spirit of money-jobbing and speculation goes into the mass of land itself, and incorporates with it. By this kind of operation, that species of property becomes (as it were) volatilized; it assumes an unnatural and monstrous activity, and thereby throws into the hands of the several managers, principal and subordinate, Parisian and provincial, all the representative of money, and perhaps a full tenth part of all the land in France, which has now acquired the worst and most pernicious part of the evil of a paper circulation, the greatest possible uncertainty in its value. They have reversed the Latonian kindness to the landed property

of Delos. They have sent theirs to be blown about, like the light fragments of a wreck, *oras et littora circum.*

The new dealers, being all habitually adventurers, and without any fixed habits or local predilections, will purchase to job out again, as the market of paper, or of money, or of land, shall present an advantage. For though a holy bishop thinks that agriculture will derive great advantages from the "*enlightened*" usurers who are to purchase the church confiscations, I, who am not a good, but an old farmer, with great humility beg leave to tell his late lordship, that usury is not a tutor of agriculture; and if the word "enlightened" be understood according to the new dictionary, as it always is in your new schools, I cannot conceive how a man's not believing in God can teach him to cultivate the earth with the least of any additional skill or encouragement. "Diis immortalibus sero," said an old Roman, when he held one handle of the plough, whilst Death held the other. Though you were to join in the commission all the directors of the two academies to the directors of the *Caisse d'Escompte*, one old, experienced peasant is worth them all. I have got more information upon a curious and interesting branch of husbandry, in one short conversation with an old Carthusian monk, than I have derived from all the Bank directors that I have ever conversed with. However, there is no cause for apprehension from the meddling of money-dealers with rural economy. These gentlemen are too wise in their generation. At first, perhaps, their tender and susceptible imaginations may be captivated with the innocent and unprofitable delights of a pastoral life; but in a little time they will find that agriculture is a trade much more laborious, and much less lucrative, than that which they had left. After making its panegyric, they will turn their backs on it like their great precursor and prototype. They may, like him, begin by singing "*Beatus ille*"—but what will be the end?

> *Hæc ubi locutus fœnerator Alphius,*
> *Jam jam futurus rusticus*
> *Omnem relegit idibus pecuniam;*
> *Quærit calendis ponere.*

They will cultivate the *Caisse d'Eglise*, under the sacred auspices of this prelate, with much more profit than its vine-

yards and its corn-fields. They will employ their talents according to their habits and their interests. They will not follow the plough whilst they can direct treasuries, and govern provinces.

Your legislators, in everything new, are the very first who have founded a commonwealth upon gaming, and infused this spirit into it as its vital breath. The great object in these politics is to metamorphose France from a great kingdom into one great play-table; to turn its inhabitants into a nation of gamesters; to make speculation as extensive as life; to mix it with all its concerns; and to divert the whole of the hopes and fears of the people from their usual channels into the impulses, passions, and superstitions of those who live on chances. They loudly proclaim their opinion, that this their present system of a republic cannot possibly exist without this kind of gaming fund; and that the very thread of its life is spun out of the staple of these speculations. The old gaming in funds was mischievous enough undoubtedly; but it was so only to individuals. Even when it had its greatest extent, in the Mississippi and South Sea, it affected but few, comparatively; where it extends further, as in lotteries, the spirit has but a single object. But where the law, which in most circumstances forbids, and in none countenances, gaming, is itself debauched, so as to reverse its nature and policy, and expressly to force the subject to this destructive table, by bringing the spirit and symbols of gaming into the minutest matters, and engaging everybody in it, and in everything, a more dreadful epidemic distemper of that kind is spread than yet has appeared in the world. With you a man can neither earn nor buy his dinner without a speculation. What he receives in the morning will not have the same value at night. What he is compelled to take as pay for an old debt will not be received as the same when he comes to pay a debt contracted by himself; nor will it be the same when by prompt payment he would avoid contracting any debt at all. Industry must wither away. Economy must be driven from your country. Careful provision will have no existence. Who will labour without knowing the amount of his pay? Who will study to increase what none can estimate? Who will accumulate, when he does not know the value of what he saves? If you abstract

it from its uses in gaming, to accumulate your paper wealth, would be not the providence of a man, but the distempered instinct of a jackdaw.

The truly melancholy part of the policy of systematically making a nation of gamesters is this, that though all are forced to play, few can understand the game; and fewer still are in a condition to avail themselves of the knowledge. The many must be the dupes of the few who conduct the machine of these speculations. What effect it must have on the country people is visible. The townsman can calculate from day to day; not so the inhabitant of the country. When the peasant first brings his corn to market, the magistrate in the towns obliges him to take the assignat at par; when he goes to the shop with his money, he finds it seven per cent. the worse for crossing the way. This market he will not readily resort to again. The towns-people will be inflamed; they will force the country people to bring their corn. Resistance will begin, and the murders of Paris and St. Denis may be renewed through all France.

What signifies the empty compliment paid to the country, by giving it, perhaps, more than its share in the theory of your representation? Where have you placed the real power over monied and landed circulation? Where have you placed the means of raising and falling the value of every man's freehold? Those, whose operations can take from, or add ten per cent. to, the possessions of every man in France, must be the masters of every man in France. The whole of the power obtained by this revolution will settle in the towns among the burghers, and the monied directors who lead them. The landed gentleman, the yeoman, and the peasant, have, none of them, habits, or inclinations, or experience, which can lead them to any share in this the sole source of power and influence now left in France. The very nature of a country life, the very nature of landed property, in all the occupations, and all the pleasures they lead, render combination and arrangement (the sole way of securing and exerting influence) in a manner impossible amongst country people. Combine them by all the art you can, and all the industry, they are always dissolving into individuality. Anything in the nature of incorporation is almost impracticable amongst them. Hope, fear, alarm,

jealousy, the ephemerous tale that does its business and dies in a day, all these things, which are the reins and spurs by which leaders check or urge the minds of followers, are not easily employed, or hardly at all, amongst scattered people. They assemble, they arm, they act, with the utmost difficulty, and at the greatest charge. Their efforts, if ever they can be commenced, cannot be sustained. They cannot proceed systematically. If the country gentlemen attempt an influence through the mere income of their property, what is it to that of those who have ten times their income to sell, and who can ruin their property by bringing their plunder to meet it at market? If the landed man wishes to mortgage, he falls the value of his land, and raises the value of assignats. He augments the power of his enemy by the very means he must take to contend with him. The country gentleman therefore, the officer by sea and land, the man of liberal views and habits, attached to no profession, will be as completely excluded from the government of his country as if he were legislatively proscribed. It is obvious, that in the towns, all the things which conspire against the country gentleman combine in favour of the money manager and director. In towns combination is natural. The habits of burghers, their occupations, their diversion, their business, their idleness, continually bring them into mutual contact. Their virtues and their vices are sociable; they are always in garrison; and they come embodied and half disciplined into the hands of those who mean to form them for civil or military action.

All these considerations leave no doubt on my mind, that, if this monster of a constitution can continue, France will be wholly governed by the agitators in corporations, by societies in the towns formed of directors of assignats, and trustees for the sale of church lands, attornies, agents, money-jobbers, speculators, and adventurers, composing an ignoble oligarchy, founded on the destruction of the crown, the church, the nobility, and the people. Here end all the deceitful dreams and visions of the equality and rights of men. In "the Serbonian bog" of this base oligarchy they are all absorbed, sunk, and lost for ever.

Though human eyes cannot trace them, one would be tempted to think some great offences in France must cry to

heaven, which has thought fit to punish it with a subjection to a vile and inglorious domination, in which no comfort or compensation is to be found in any even of those false splendours, which, playing about other tyrannies, prevent mankind from feeling themselves dishonoured even whilst they are oppressed. I must confess I am touched with a sorrow, mixed with some indignation, at the conduct of a few men, once of great rank, and still of great character, who, deluded with specious names, have engaged in a business too deep for the line of their understanding to fathom; who have lent their fair reputation, and the authority of their high-sounding names, to the designs of men with whom they could not be acquainted; and have thereby made their very virtues operate to the ruin of their country.

So far as to the first cementing principle.

The second material of cement for their new republic is the superiority of the city of Paris: and this I admit is strongly connected with the other cementing principle of paper circulation and confiscation. It is in this part of the project we must look for the cause of the destruction of all the old bounds of provinces and jurisdictions, ecclesiastical and secular, and the dissolution of all ancient combinations of things, as well as the formation of so many small unconnected republics. The power of the city of Paris is evidently one great spring of all their politics. It is through the power of Paris, now become the centre and focus of jobbing, that the leaders of this faction direct, or rather command, the whole legislative and the whole executive government. Everything therefore must be done which can confirm the authority of that city over the other republics. Paris is compact; she has an enormous strength, wholly disproportioned to the force of any of the square republics; and this strength is collected and condensed within a narrow compass. Paris has a natural and easy connexion of its parts, which will not be affected by any scheme of a geometrical constitution, nor does it much signify whether its proportion of representation be more or less, since it has the whole draft of fishes in its drag-net. The other divisions of the kingdom being hackled and torn to pieces, and separated from all their habitual means, and even principles of union, cannot, for some time at least, confederate

against her. Nothing was to be left in all the subordinate members, but weakness, disconnexion, and confusion. To confirm this part of the plan, the Assembly has lately come to a resolution, that no two of their republics shall have the same commander-in-chief.

To a person who takes a view of the whole, the strength of Paris, thus formed, will appear a system of general weakness. It is boasted that the geometrical policy has been adopted, that all local ideas should be sunk, and that the people should no longer be Gascons, Picards, Bretons, Normans; but Frenchmen, with one country, one heart, and one Assembly. But instead of being all Frenchmen, the greater likelihood is, that the inhabitants of that region will shortly have no country. No man ever was attached by a sense of pride, partiality, or real affection, to a description of square measurement. He never will glory in belonging to the Chequer No. 71, or to any other badge-ticket. We begin our public affections in our families. No cold relation is a zealous citizen. We pass on to our neighbourhoods, and our habitual provincial connexions. These are inns and resting-places. Such divisions of our country as have been formed by habit, and not by a sudden jerk of authority, were so many little images of the great country in which the heart found something which it could fill. The love to the whole is not extinguished by this subordinate partiality. Perhaps it is a sort of elemental training to those higher and more large regards, by which alone men come to be affected, as with their own concern, in the prosperity of a kingdom so extensive as that of France. In that general territory itself, as in the old name of provinces, the citizens are interested from old prejudices and unreasoned habits, and not on account of the geometric properties of its figure. The power and pre-eminence of Paris does certainly press down and hold these republics together as long as it lasts. But, for the reasons I have already given you, I think it cannot last very long.

Passing from the civil creating and the civil cementing principles of this constitution, to the National Assembly which is to appear and act as sovereign, we see a body in its constitution with every possible power, and no possible external control. We see a body without fundamental laws,

without established maxims, without respected rules of proceeding, which nothing can keep firm to any system whatsoever. Their idea of their powers is always taken at the utmost stretch of legislative competency, and their examples for common cases from the exceptions of the most urgent necessity. The future is to be in most respects like the present Assembly; but, by the mode of the new elections and the tendency of the new circulations, it will be purged of the small degree of internal control existing in a minority chosen originally from various interests, and preserving something of their spirit. If possible, the next Assembly must be worse than the present. The present, by destroying and altering everything, will leave to their successors apparently nothing popular to do. They will be roused by emulation and example to enterprises the boldest and the most absurd. To suppose such an assembly sitting in perfect quietude is ridiculous.

Your all-sufficient legislators, in their hurry to do everything at once, have forgot one thing that seems essential, and which I believe never has been before, in the theory or the practice, omitted by any projector of a republic. They have forgot to constitute a *senate*, or something of that nature and character. Never, before this time, was heard of a body politic composed of one legislative and active assembly, and its executive officers, without such a council; without something to which foreign states might connect themselves; something to which, in the ordinary detail of government, the people could look up; something which might give a bias, and steadiness, and preserve something like consistency in the proceedings of state. Such a body kings generally have as a council. A monarchy may exist without it; but it seems to be in the very essence of a republican government. It holds a sort of middle place between the supreme power exercised by the people, or immediately delegated from them, and the mere executive. Of this there are no traces in your constitution; and, in providing nothing of this kind, your Solons and Numas have, as much as in anything else, discovered a sovereign incapacity.

Let us now turn our eyes to what they have done towards the formation of an executive power. For this they have chosen a degraded king. This their first executive

officer is to be a machine, without any sort of deliberative discretion in any one act of his function. At best he is but a channel to convey to the National Assembly such matter as it may import that body to know. If he had been made the exclusive channel, the power would not have been without its importance; though infinitely perilous to those who would choose to exercise it. But public intelligence and statement of facts may pass to the Assembly with equal authenticity, through any other conveyance. As to the means, therefore, of giving a direction to measures by the statement of an authorized reporter, this office of intelligence is as nothing.

To consider the French scheme of an executive officer, in its two natural divisions of civil and political.—In the first it must be observed, that, according to the new constitution, the higher parts of judicature, in either of its lines, are not in the king. The king of France is not the fountain of justice. The judges, neither the original nor the appellate, are of his nomination. He neither proposes the candidates, nor has a negative on the choice. He is not even the public prosecutor. He serves only as a notary to authenticate the choice made of the judges in the several districts. By his officers he is to execute their sentence. When we look into the true nature of his authority, he appears to be nothing more than a chief of bumbailiffs, serjeants at mace, catchpoles, jailers, and hangmen. It is impossible to place anything called royalty in a more degrading point of view. A thousand times better had it been for the dignity of this unhappy prince, that he had nothing at all to do with the administration of justice, deprived as he is of all that is venerable, and all that is consolatory, in that function, without power of originating any process; without a power of suspension, mitigation, or pardon. Everything in justice that is vile and odious is thrown upon him. It was not for nothing that the Assembly has been at such pains to remove the stigma from certain offices, when they are resolved to place the person who had lately been their king in a situation but one degree above the executioner, and in an office nearly of the same quality. It is not in nature, that, situated as the king of the French now is, he can respect himself, or can be respected by others.

View this new executive officer on the side of his political capacity, as he acts under the orders of the National Assembly. To execute laws is a royal office; to execute orders is not to be a king. However, a political executive magistracy, though merely such, is a great trust. It is a trust indeed that has much depending upon its faithful and diligent performance, both in the person presiding in it and in all its subordinates. Means of performing this duty ought to be given by regulation; and dispositions towards it ought to be infused by the circumstances attendant on the trust. It ought to be environed with dignity, authority, and consideration, and it ought to lead to glory. The office of execution is an office of exertion. It is not from impotence we are to expect the tasks of power. What sort of person is a king to command executory service, who has no means whatsoever to reward it? Not in a permanent office; not in a grant of land; no, not in a pension of fifty pounds a year; not in the vainest and most trivial title. In France the king is no more the fountain of honour than he is the fountain of justice. All rewards, all distinctions, are in other hands. Those who serve the king can be actuated by no natural motive but fear; by a fear of everything except their master. His functions of internal coercion are as odious as those which he exercises in the department of justice. If relief is to be given to any municipality, the Assembly gives it. If troops are to be sent to reduce them to obedience to the Assembly, the king is to execute the order; and upon every occasion he is to be spattered over with the blood of his people. He has no negative; yet his name and authority is used to enforce every harsh decree. Nay, he must concur in the butchery of those who shall attempt to free him from his imprisonment, or show the slightest attachment to his person or to his ancient authority.

Executive magistracy ought to be constituted in such a manner, that those who compose it should be disposed to love and to venerate those whom they are bound to obey. A purposed neglect, or, what is worse, a literal but perverse and malignant obedience, must be the ruin of the wisest counsels. In vain will the law attempt to anticipate or to follow such studied neglects and fraudulent attentions. To make them act zealously is not in the competence of law.

Kings, even such as are truly kings, may and ought to bear the freedom of subjects that are obnoxious to them. They may too, without derogating from themselves, bear even the authority of such persons, if it promotes their service. Louis the Thirteenth mortally hated the Cardinal de Richelieu; but his support of that minister against his rivals was the source of all the glory of his reign, and the solid foundation of his throne itself. Louis the Fourteenth, when come to the throne, did not love the Cardinal Mazarin; but for his interests he preserved him in power. When old, he detested Louvois; but for years, whilst he faithfully served his greatness, he endured his person. When George the Second took Mr. Pitt, who certainly was not agreeable to him, into his councils, he did nothing which could humble a wise sovereign. But these ministers, who were chosen by affairs, not by affections, acted in the name of, and in trust for, kings; and not as their avowed, constitutional, and ostensible masters. I think it impossible that any king, when he has recovered his first terrors, can cordially infuse vivacity and vigour into measures which he knows to be dictated by those, who, he must be persuaded, are in the highest degree ill affected to his person. Will any ministers, who serve such a king (or whatever he may be called) with but a decent appearance of respect, cordially obey the orders of those whom but the other day in his name they had committed to the Bastile? will they obey the orders of those whom, whilst they were exercising despotic justice upon them, they conceived they were treating with lenity; and from whom, in a prison, they thought they had provided an asylum? If you expect such obedience, amongst your other innovations and regenerations, you ought to make a revolution in nature, and provide a new constitution for the human mind. Otherwise, your supreme government cannot harmonize with its executory system. There are cases in which we cannot take up with names and abstractions. You may call half a dozen leading individuals, whom we have reason to fear and hate, the nation. It makes no other difference, than to make us fear and hate them the more. If it had been thought justifiable and expedient to make such a revolution by such means, and through such persons, as you have made yours, it would have been more wise to have

completed the business of the fifth and sixth of October. The new executive officer would then owe his situation to those who are his creators as well as his masters; and he might be bound in interest, in the society of crime, and (if in crimes there could be virtues) in gratitude, to serve those who had promoted him to a place of great lucre and great sensual indulgence; and of something more: for more he must have received from those who certainly would not have limited an aggrandized creature, as they have done a submitting antagonist.

A king circumstanced as the present, if he is totally stupified by his misfortunes, so as to think it not the necessity, but the premium and privilege, of life, to eat and sleep, without any regard to glory, can never be fit for the office. If he feels as men commonly feel, he must be sensible, that an office so circumstanced is one in which he can obtain no fame or reputation. He has no generous interest that can excite him to action. At best, his conduct will be passive and defensive. To inferior people such an office might be matter of honour. But to be raised to it, and to descend to it, are different things, and suggest different sentiments. Does he *really* name the ministers? They will have a sympathy with him. Are they forced upon him? The whole business between them and the nominal king will be mutual counteraction. In all other countries, the office of ministers of state is of the highest dignity. In France it is full of peril, and incapable of glory. Rivals however they will have in their nothingness, whilst shallow ambition exists in the world, or the desire of a miserable salary is an incentive to short-sighted avarice. Those competitors of the ministers are enabled by your constitution to attack them in their vital parts, whilst they have not the means of repelling their charges in any other than the degrading character of culprits. The ministers of state in France are the only persons in that country who are incapable of a share in the national councils. What ministers! What councils! What a nation!—But they are responsible. It is a poor service that is to be had from responsibility. The elevation of mind to be derived from fear will never make a nation glorious. Responsibility prevents crimes. It makes all attempts against the laws dangerous. But for a principle of active and zealous

service, none but idiots could think of it. Is the conduct of a war to be trusted to a man who may abhor its principle; who, in every step he may take to render it successful, confirms the power of those by whom he is oppressed? Will foreign states seriously treat with him who has no prerogative of peace or war; no, not so much as in a single vote by himself or his ministers, or by any one whom he can possibly influence? A state of contempt is not a state for a prince: better get rid of him at once.

I know it will be said that these humours in the court and executive government will continue only through this generation; and that the king has been brought to declare the dauphin shall be educated in a conformity to his situation. If he is made to conform to his situation, he will have no education at all. His training must be worse even than that of an arbitrary monarch. If he reads—whether he reads or not, some good or evil genius will tell him his ancestors were kings. Thenceforward his object must be to assert himself, and to avenge his parents. This you will say is not his duty. That may be; but it is nature; and whilst you pique nature against you, you do unwisely to trust to duty. In this futile scheme of polity, the state nurses in its bosom, for the present, a source of weakness, perplexity, counteraction, inefficiency, and decay; and it prepares the means of its final ruin. In short, I see nothing in the executive force (I cannot call it authority) that has even an appearance of vigour, or that has the smallest degree of just correspondence or symmetry, or amicable relation with the supreme power, either as it now exists, or as it is planned for the future government.

You have settled, by an economy as perverted as the policy, two[1] establishments of government; one real, one fictitious. Both maintained at a vast expense; but the fictitious at, I think, the greatest. Such a machine as the latter is not worth the grease of its wheels. The expense is exorbitant; and neither the show nor the use deserve the tenth part of the charge. Oh! but I don't do justice to the talents of the legislators: I don't allow, as I ought to do, for necessity. Their scheme of executive force was not their

[1] In reality three, to reckon the provincial republican establishments.

choice. This pageant must be kept. The people would not consent to part with it. Right; I understand you. You do, in spite of your grand theories, to which you would have heaven and earth to bend, you do know how to conform yourselves to the nature and circumstances of things. But when you were obliged to conform thus far to circumstances, you ought to have carried your submission farther, and to have made, what you were obliged to take, a proper instrument, and useful to its end. That was in your power. For instance, among many others, it was in your power to leave to your king the right of peace and war. What! to leave to the executive magistrate the most dangerous of all prerogatives? I know none more dangerous; nor any one more necessary to be so trusted. I do not say that this prerogative ought to be trusted to your king, unless he enjoyed other auxiliary trusts along with it, which he does not now hold. But, if he did possess them, hazardous as they are undoubtedly, advantages would arise from such a constitution, more than compensating the risk. There is no other way of keeping the several potentates of Europe from intriguing distinctly and personally with the members of your Assembly, from intermeddling in all your concerns, and fomenting, in the heart of your country, the most pernicious of all factions; factions in the interest and under the direction of foreign powers. From that worst of evils, thank God, we are still free. Your skill, if you had any, would be well employed to find out indirect correctives and controls upon this perilous trust. If you did not like those which in England we have chosen, your leaders might have exerted their abilities in contriving better. If it were necessary to exemplify the consequences of such an executive government as yours, in the management of great affairs, I should refer you to the late reports of M. de Montmorin to the National Assembly, and all the other proceedings relative to the differences between Great Britain and Spain. It would be treating your understanding with disrespect to point them out to you.

I hear that the persons who are called ministers have signified an intention of resigning their places. I am rather astonished that they have not resigned long since. For the universe I would not have stood in the situation in which they have been for this last twelvemonth. They wished well,

I take it for granted, to the Revolution. Let this fact be as it may, they could not, placed as they were upon an eminence, though an eminence of humiliation, but be the first to see collectively, and to feel each in his own department, the evils which have been produced by that revolution. In every step which they took, or forbore to take, they must have felt the degraded situation of their country, and their utter incapacity of serving it. They are in a species of subordinate servitude, in which no men before them were ever seen. Without confidence from their sovereign, on whom they were forced, or from the Assembly who forced them upon him, all the noble functions of their office are executed by committees of the Assembly, without any regard whatsoever to their personal or their official authority. They are to execute, without power; they are to be responsible, without discretion; they are to deliberate, without choice. In their puzzled situation, under two sovereigns, over neither of whom they have any influence, they must act in such a manner as (in effect, whatever they may intend) sometimes to betray the one, sometimes the other, and always to betray themselves. Such has been their situation; such must be the situation of those who succeed them. I have much respect, and many good wishes, for M. Necker. I am obliged to him for attentions. I thought when his enemies had driven him from Versailles, that his exile was a subject of most serious congratulation—*sed multæ urbes et publica vota vicerunt.* He is now sitting on the ruins of the finances, and of the monarchy of France.

A great deal more might be observed on the strange constitution of the executory part of the new government; but fatigue must give bounds to the discussion of subjects, which in themselves have hardly any limits.

As little genius and talent am I able to perceive in the plan of judicature formed by the National Assembly. According to their invariable course, the framers of your constitution have begun with the utter abolition of the parliaments. These venerable bodies, like the rest of the old government, stood in need of reform, even though there should be no change made in the monarchy. They required several more alterations to adapt them to the system of a free constitution. But they had particulars in their con-

stitution, and those not a few which deserved approbation from the wise. They possessed one fundamental excellence; they were independent. The most doubtful circumstance attendant on their office, that of its being vendible, contributed however to this independency of character. They held for life. Indeed they may be said to have held by inheritance. Appointed by the monarch, they were considered as nearly out of his power. The most determined exertions of that authority against them only showed their radical independence. They composed permanent bodies politic, constituted to resist arbitrary innovation; and from that corporate constitution, and from most of their forms, they were well calculated to afford both certainty and stability to the laws. They had been a safe asylum to secure these laws, in all the revolutions of humour and opinion. They had saved that sacred deposit of the country during the reigns of arbitrary princes, and the struggles of arbitrary factions. They kept alive the memory and record of the constitution. They were the great security to private property; which might be said (when personal liberty had no existence) to be, in fact, as well guarded in France as in any other country. Whatever is supreme in a state, ought to have, as much as possible, its judicial authority so constituted as not only not to depend upon it, but in some sort to balance it. It ought to give a security to its justice against its power. It ought to make its judicature, as it were, something exterior to the state.

These parliaments had furnished, not the best certainly, but some considerable corrective to the excesses and vices of the monarchy. Such an independent judicature was ten times more necessary when a democracy became the absolute power of the country. In that constitution, elective, temporary, local judges, such as you have contrived, exercising their dependent functions in a narrow society, must be the worst of all tribunals. In them it will be vain to look for any appearance of justice towards strangers, towards the obnoxious rich, towards the minority of routed parties, towards all those who in the election have supported unsuccessful candidates. It will be impossible to keep the new tribunals clear of the worst spirit of faction. All contrivances by ballot we know experimentally to be vain and childish to

prevent a discovery of inclinations. Where they may the best answer the purposes of concealment, they answer to produce suspicion, and this is a still more mischievous cause of partiality.

If the parliaments had been preserved, instead of being dissolved at so ruinous a change to the nation, they might have served in this new commonwealth, perhaps not precisely the same, (I do not mean an exact parallel,) but nearly the same, purposes as the court and senate of Areopagus did in Athens; that is, as one of the balances and correctives to the evils of a light and unjust democracy. Every one knows that this tribunal was the great stay of that state; every one knows with what care it was upheld, and with what a religious awe it was consecrated. The parliaments were not wholly free from faction, I admit; but this evil was exterior and accidental, and not so much the vice of their constitution itself, as it must be in your new contrivance of sexennial elective judicatories. Several English commend the abolition of the old tribunals, as supposing that they determined everything by bribery and corruption. But they have stood the test of monarchic and republican scrutiny. The court was well disposed to prove corruption on those bodies when they were dissolved in 1771.—Those who have again dissolved them would have done the same if they could—but both inquisitions having failed, I conclude, that gross pecuniary corruption must have been rather rare amongst them.

It would have been prudent, along with the parliaments, to preserve their ancient power of registering and of remonstrating at least, upon all the decrees of the National Assembly, as they did upon those which passed in the time of the monarchy. It would be a means of squaring the occasional decrees of a democracy to some principles of general jurisprudence. The vice of the ancient democracies, and one cause of their ruin, was, that they ruled, as you do, by occasional decrees, *psephismata*. This practice soon broke in upon the tenour and consistency of the laws; it abated the respect of the people towards them; and totally destroyed them in the end.

Your vesting the power of remonstrance, which, in the time of the monarchy, existed in the parliament of Paris, in your principal executive officer, whom, in spite of common

sense, you persevere in calling king, is the height of absurdity. You ought never to suffer remonstrance from him who is to execute. This is to understand neither council nor execution; neither authority nor obedience. The person whom you call king, ought not to have this power, or he ought to have more.

Your present arrangement is strictly judicial. Instead of imitating your monarchy, and seating your judges on a bench of independence, your object is to reduce them to the most blind obedience. As you have changed all things, you have invented new principles of order. You first appoint judges, who, I suppose, are to determine according to law, and then you let them know, that, at some time or other, you intend to give them some law by which they are to determine. Any studies which they have made (if any they have made) are to be useless to them. But to supply these studies, they are to be sworn to obey all the rules, orders, and instructions which from time to time they are to receive from the National Assembly. These if they submit to, they leave no ground of law to the subject. They become complete and most dangerous instruments in the hands of the governing power, which, in the midst of a cause, or on the prospect of it, may wholly change the rule of decision. If these orders of the National Assembly come to be contrary to the will of the people, who locally choose those judges, such confusion must happen as is terrible to think of. For the judges owe their places to the local authority; and the commands they are sworn to obey come from those who have no share in their appointment. In the mean time they have the example of the court of *Chatelet* to encourage and guide them in the exercise of their functions. That court is to try criminals sent to it by the National Assembly, or brought before it by other courses of delation. They sit under a guard to save their own lives. They know not by what law they judge, nor under what authority they act, nor by what tenure they hold. It is thought that they are sometimes obliged to condemn at peril of their lives. This is not perhaps certain, nor can it be ascertained; but when they acquit, we know they have seen the persons whom they discharge, with perfect impunity to the actors, hanged at the door of their court.

The Assembly indeed promises that they will form a body of law, which shall be short, simple, clear, and so forth. That is, by their short laws, they will leave much to the discretion of the judge; whilst they have exploded the authority of all the learning which could make judicial discretion (a thing perilous at best) deserving the appellation of a *sound* discretion.

It is curious to observe, that the administrative bodies are carefully exempted from the jurisdiction of these new tribunals. That is, those persons are exempted from the power of the laws, who ought to be the most entirely submitted to them. Those who execute public pecuniary trusts, ought of all men to be the most strictly held to their duty. One would have thought that it must have been among your earliest cares, if you did not mean that those administrative bodies should be real, sovereign, independent states, to form an awful tribunal, like your late parliaments, or like our king's bench, where all corporate officers might obtain protection in the legal exercise of their functions, and would find coercion if they trespassed against their legal duty. But the cause of the exemption is plain. These administrative bodies are the great instruments of the present leaders in their progress through democracy to oligarchy. They must therefore be put above the law. It will be said, that the legal tribunals which you have made are unfit to coerce them. They are undoubtedly. They are unfit for any rational purpose. It will be said too, that the administrative bodies will be accountable to the general assembly. This I fear is talking without much consideration of the nature of that assembly, or of these corporations. However, to be subject to the pleasure of that assembly, is not to be subject to law either for protection or for constraint.

This establishment of judges as yet wants something to its completion. It is to be crowned by a new tribunal. This is to be a grand state judicature; and it is to judge of crimes committed against the nation, that is, against the power of the Assembly. It seems as if they had something in their view of the nature of the high court of justice erected in England during the time of the great usurpation. As they have not yet finished this part of the scheme, it is impossible to form a right judgment upon it. However, if great care

is not taken to form it in a spirit very different from that which has guided them in their proceedings relative to state offences, this tribunal, subservient to their inquisition, *the committee of research*, will extinguish the last sparks of liberty in France, and settle the most dreadful and arbitrary tyranny ever known in any nation. If they wish to give to this tribunal any appearance of liberty and justice, they must not evoke from or send to it the causes relative to their own members, at their pleasure. They must also remove the seat of that tribunal out of the republic of Paris.[1]

Has more wisdom been displayed in the constitution of your army than what is discoverable in your plan of judicature? The able arrangement of this part is the more difficult, and requires the greater skill and attention, not only as a great concern in itself, but as it is the third cementing principle in the new body of republics, which you call the French nation. Truly it is not easy to divine what that army may become at last. You have voted a very large one, and on good appointments, at least fully equal to your apparent means of payment. But what is the principle of its discipline? or whom is it to obey? You have got the wolf by the ears, and I wish you joy of the happy position in which you have chosen to place yourselves, and in which you are well circumstanced for a free deliberation, relatively to that army, or to anything else.

The minister and secretary of state for the war department is M. de la Tour du Pin. This gentleman, like his colleagues in administration, is a most zealous assertor of the Revolution, and a sanguine admirer of the new constitution, which originated in that event. His statement of facts, relative to the military of France, is important, not only from his official and personal authority, but because it displays very clearly the actual condition of the army in France, and because it throws light on the principles upon which the Assembly proceeds, in the administration of this critical object. It may enable us to form some judgment, how far it may be expedient in this country to imitate the martial policy of France.

M. de la Tour du Pin, on the fourth of last June, comes

[1] For further elucidations upon the subject of all these judicatures, and of the committee of research, see M. de Calonne's work.

to give an account of the state of his department, as it exists under the auspices of the National Assembly. No man knows it so well; no man can express it better. Addressing himself to the National Assembly, he says, "His Majesty has *this day* sent me to apprize you of the multiplied disorders of which *every day* he receives the most distressing intelligence. The army (le corps militaire) threatens to fall into the most turbulent anarchy. Entire regiments have dared to violate at once the respect due to the laws, to the king, to the order established by your decrees, and to the oaths which they have taken with the most awful solemnity. Compelled by my duty to give you information of these excesses, my heart bleeds when I consider who they are that have committed them. Those, against whom it is not in my power to withhold the most grievous complaints, are a part of that very soldiery which to this day have been so full of honour and loyalty, and with whom, for fifty years, I have lived the comrade and the friend.

"What incomprehensible spirit of delirium and delusion has all at once led them astray? Whilst you are indefatigable in establishing uniformity in the empire, and moulding the whole into one coherent and consistent body; whilst the French are taught by you, at once the respect which the laws owe to the rights of man, and that which the citizens owe to the laws, the administration of the army presents nothing but disturbance and confusion. I see in more than one corps the bonds of discipline relaxed or broken; the most unheard-of pretensions avowed directly and without any disguise; the ordinances without force; the chiefs without authority; the military chest and the colours carried off; the authority of the king himself [*risum teneatis?*] proudly defied; the officers despised, degraded, threatened, driven away, and some of them prisoners in the midst of their corps, dragging on a precarious life in the bosom of disgust and humiliation. To fill up the measure of all these horrors, the commandants of places have had their throats cut, under the eyes, and almost in the arms, of their own soldiers.

"These evils are great; but they are not the worst consequences which may be produced by such military insurrections. Sooner or later they may menace the nation itself.

The nature of things requires that the army should never act but as *an instrument*. The moment that, erecting itself into a deliberative body, it shall act according to its own resolutions, the *government, be it what it may, will immediately degenerate into a military democracy;* a species of political monster, which has always ended by devouring those who have produced it.

"After all this, who must not be alarmed at the irregular consultations, and turbulent committees, formed in some regiments by the common soldiers and non-commissioned officers, without the knowledge, or even in contempt of the authority, of their superiors; although the presence and concurrence of those superiors could give no authority to such monstrous democratic assemblies [comices]."

It is not necessary to add much to this finished picture: finished as far as its canvass admits; but as I apprehend, not taking in the whole of the nature and complexity of the disorders of this military democracy, which, the minister at war truly and wisely observes, wherever it exists, must be the true constitution of the state, by whatever formal appellation it may pass. For, though he informs the Assembly that the more considerable part of the army have not cast off their obedience, but are still attached to their duty, yet those travellers, who have seen the corps whose conduct is the best, rather observe in them the absence of mutiny, than the existence of discipline.

I cannot help pausing here for a moment, to reflect upon the expressions of surprise which this minister has let fall, relative to the excesses he relates. To him the departure of the troops from their ancient principles of loyalty and honour seems quite inconceivable. Surely those to whom he addresses himself know the causes of it but too well. They know the doctrines which they have preached, the degrees which they have passed, the practices which they have countenanced. The soldiers remember the 6th of October. They recollect the French guards. They have not forgotten the taking of the king's castles in Paris and Marseilles. That the governors in both places were murdered with impunity, is a fact that has not passed out of their minds. They do not abandon the principles laid down so ostentatiously and laboriously of the equality of men. They can-

not shut their eyes to the degradation of the whole noblesse of France, and the suppression of the very idea of a gentleman. The total abolition of titles and distinctions is not lost upon them. But M. de la Tour du Pin is astonished at their disloyalty, when the doctors of the Assembly have taught them at the same time the respect due to laws. It is easy to judge which of the two sorts of lessons men with arms in their hands are likely to learn. As to the authority of the king, we may collect from the minister himself (if any argument on that head were not quite superfluous) that it is not of more consideration with these troops, than it is with everybody else. "The king," says he, "has over and over again repeated his orders to put a stop to these excesses: but, in so terrible a crisis, *your* [the Assembly's] concurrence is become indispensably necessary to prevent the evils which menace the state. *You* unite to the force of the legislative power, *that of opinion* still more important." To be sure the army can have no opinion of the power or authority of the king. Perhaps the soldier has by this time learned, that the Assembly itself does not enjoy a much greater degree of liberty than that royal figure.

It is now to be seen what has been proposed in this exigency, one of the greatest that can happen in a state. The minister requests the Assembly to array itself in all its terrors, and to call forth all its majesty. He desires that the grave and severe principles announced by them may give vigour to the king's proclamation. After this we should have looked for courts civil and martial; breaking of some corps, decimating of others, and all the terrible means which necessity has employed in such cases to arrest the progress of the most terrible of all evils; particularly, one might expect, that a serious inquiry would be made into the murder of commandants in the view of their soldiers. Not one word of all this, or of anything like it. After they had been told that the soldiery trampled upon the decrees of the Assembly promulgated by the king, the Assembly pass new decrees; and they authorize the king to make new proclamations. After the secretary at war had stated that the regiments had paid no regard to oaths *prêtés avec la plus imposante solemnité*—they propose—what? More oaths. They renew decrees and proclamations as they experience their

insufficiency, and they multiply oaths in proportion as they weaken, in the minds of men, the sanctions of religion. I hope that handy abridgments of the excellent sermons of Voltaire, d'Alembert, Diderot, and Helvetius, on the Immortality of the Soul, on a particular superintending Providence, and on a Future State of Rewards and Punishments, are sent down to the soldiers along with their civic oaths. Of this I have no doubt; as I understand that a certain description of reading makes no inconsiderable part of their military exercises, and that they are full as well supplied with the ammunition of pamphlets as of cartridges.

To prevent the mischiefs arising from conspiracies, irregular consultations, seditious committees, and monstrous democratic assemblies ["comitia, comices"] of the soldiers, and all the disorders arising from idleness, luxury, dissipation, and insubordination, I believe the most astonishing means have been used that ever occurred to men, even in all the inventions of this prolific age. It is no less than this:—The king has promulgated in circular letters to all the regiments his direct authority and encouragement, that the several corps should join themselves with the clubs and confederations in the several municipalities, and mix with them in their feasts and civic entertainments! This jolly discipline, it seems, is to soften the ferocity of their minds; to reconcile them to their bottle companions of other descriptions; and to merge particular conspiracies in more general associations.[1] That this remedy would be pleasing to the soldiers, as they are described by M. de la Tour du Pin, I can readily believe; and that, however mutinous otherwise, they will dutifully submit themselves to *these* royal proclamations. But I should question whether all this civic swearing, clubbing, and feasting, would dispose them, more than at present they are disposed, to an obedience to their officers; or teach them better to submit to the austere rules of military discipline. It will make them admirable citizens after the

[1] Comme sa majesté y a reconnu, non une système d'associations particulières, mais une réunion de volontés de tous les François pour la liberté et la prospérité communes, ainsi pour la maintien de l'ordre publique; il a pensé qu'il convenoit que chaque régiment prit part à ces fêtes civiques pour multiplier les rapports et referrer les liens d'union entre les citoyens et les troupes.—Lest I should not be credited, I insert the words, authorizing the troops to feast with the popular confederacies.

French mode, but not quite so good soldiers after any mode. A doubt might well arise, whether the conversations at these good tables would fit them a great deal the better for the character of *mere instruments*, which this veteran officer and statesman justly observes the nature of things always requires an army to be.

Concerning the likelihood of this improvement in discipline, by the free conversation of the soldiers with municipal festive societies, which is thus officially encouraged by royal authority and sanction, we may judge by the state of the municipalities themselves, furnished to us by the war minister in this very speech. He conceives good hopes of the success of his endeavours towards restoring order *for the present* from the good disposition of certain regiments; but he finds something cloudy with regard to the future. As to preventing the return of confusion, "for this, the administration (says he) cannot be answerable to you, as long as they see the municipalities arrogate to themselves an authority over the troops, which your institutions have reserved wholly to the monarch. You have fixed the limits of the military authority and the municipal authority. You have bounded the action, which you have permitted to the latter over the former, to the right of requisition; but never did the letter or the spirit of your decrees authorize the commons in these municipalities to break the officers, to try them, to give orders to the soldiers, to drive them from the posts committed to their guard, to stop them in their marches ordered by the king, or, in a word, to enslave the troops to the caprice of each of the cities, or even market towns, through which they are to pass."

Such is the character and disposition of the municipal society which is to reclaim the soldiery, to bring them back to the true principles of military subordination, and to render them machines in the hands of the supreme power of the country! Such are the distempers of the French troops! Such is their cure! As the army is, so is the navy. The municipalities supersede the orders of the Assembly, and the seamen in their turn supersede the orders of the municipalities. From my heart I pity the condition of a respectable servant of the public, like this war minister, obliged in his old age to pledge the Assembly in their civic cups, and to

enter with a hoary head into all the fantastic vagaries of these juvenile politicians. Such schemes are not like propositions coming from a man of fifty years' wear and tear amongst mankind. They seem rather such as ought to be expected from those grand compounders in politics, who shorten the road to their degrees in the state; and have a certain inward fanatical assurance and illumination upon all subjects; upon the credit of which one of their doctors has thought fit, with great applause, and greater success, to caution the Assembly not to attend to old men, or to any persons who valued themselves upon their experience. I suppose all the ministers of state must qualify, and take this test; wholly abjuring the errors and heresies of experience and observation. Every man has his own relish. But I think if I could not attain to the wisdom, I would at least preserve something of the stiff and peremptory dignity of age. These gentlemen deal in regeneration: but at any price I should hardly yield my rigid fibres to be regenerated by them; nor begin, in my grand climacteric, to squall in their new accents, or to stammer, in my second cradle, the elemental sounds of their barbarous metaphysics.[1] *Si isti mihi largiantur ut repueriscam, et in eorum cunis vagiam, valde recusem!*

The imbecility of any part of the puerile and pedantic system, which they call a constitution, cannot be laid open without discovering the utter insufficiency and mischief of every other part with which it comes in contact, or that bears any the remotest relation to it. You cannot propose a remedy for the incompetence of the crown, without displaying the debility of the Assembly. You cannot deliberate on the confusion of the army of the state, without disclosing the worse disorders of the armed municipalities. The military lays open the civil, and the civil betrays the military, anarchy. I wish everybody carefully to peruse the eloquent speech (such it is) of Mons. de la Tour du Pin. He attributes the salvation of the municipalities to the good behaviour of some of the troops. These troops are to preserve the well-disposed part of those municipalities, which is confessed to be the weakest, from the pillage of the worst disposed, which is

[1] This war minister has since quitted the school, and resigned his office.

the strongest. But the municipalities affect a sovereignty, and will command those troops which are necessary for their protection. Indeed they must command them or court them. The municipalities, by the necessity of their situation, and by the republican powers they have obtained, must, with relation to the military, be the masters, or the servants, or the confederates, or each successively; or they must make a jumble of all together, according to circumstances. What government is there to coerce the army but the municipality, or the municipality but the army? To preserve concord where authority is extinguished, at the hazard of all consequences, the Assembly attempts to cure the distempers by the distempers themselves; and they hope to preserve themselves from a purely military democracy, by giving it a debauched interest in the municipal.

If the soldiers once come to mix for any time in the municipal clubs, cabals, and confederacies, an elective attraction will draw them to the lowest and most desperate part. With them will be their habits, affections, and sympathies. The military conspiracies, which are to be remedied by civic confederacies; the rebellious municipalities, which are to be rendered obedient by furnishing them with the means of seducing the very armies of the state that are to keep them in order; all these chimeras of a monstrous and portentous policy must aggravate the confusion from which they have arisen. There must be blood. The want of common judgment manifested in the construction of all their descriptions of forces, and in all their kinds of civil and judicial authorities, will make it flow. Disorders may be quieted in one time and in one part. They will break out in others; because the evil is radical and intrinsic. All these schemes of mixing mutinous soldiers with seditious citizens must weaken still more and more the military connexion of soldiers with their officers, as well as add military and mutinous audacity to turbulent artificers and peasants. To secure a real army, the officer should be first and last in the eye of the soldier; first and last in his attention, observance, and esteem. Officers it seems there are to be, whose chief qualification must be temper and patience. They are to manage their troops by electioneering arts. They must bear themselves as candidates, not as commanders. But as by such means

power may be occasionally in their hands, the authority by which they are to be nominated becomes of high importance.

What you may do finally does not appear; nor is it of much moment, whilst the strange and contradictory relation between your army and all the parts of your republic, as well as the puzzled relation of those parts to each other and to the whole, remain as they are. You seem to have given the provisional nomination of the officers, in the first instance, to the king, with a reserve of approbation by the National Assembly. Men who have an interest to pursue are extremely sagacious in discovering the true seat of power. They must soon perceive that those, who can negative indefinitely, in reality appoint. The officers must therefore look to their intrigues in that Assembly, as the sole, certain road to promotion. Still, however, by your new constitution they must begin their solicitation at court. This double negotiation for military rank seems to me a contrivance as well adapted, as if it were studied for no other end, to promote faction in the Assembly itself, relative to this vast military patronage; and then to poison the corps of officers with factions of a nature still more dangerous to the safety of government, upon any bottom on which it can be placed, and destructive in the end to the efficiency of the army itself. Those officers, who lose the promotions intended for them by the crown, must become of a faction opposite to that of the Assembly which has rejected their claims, and must nourish discontents in the heart of the army against the ruling powers. Those officers, on the other hand, who, by carrying their point through an interest in the Assembly, feel themselves to be at best only second in the good-will of the crown, though first in that of the Assembly, must slight an authority which would not advance and could not retard their promotion. If to avoid these evils you will have no other rule for command or promotion than seniority, you will have an army of formality; at the same time it will become more independent, and more of a military republic. Not they, but the king is the machine. A king is not to be deposed by halves. If he is not everything in the command of an army, he is nothing. What is the effect of a power placed nominally at the head of the army, who to that army is no object of gratitude, or of fear? Such a cipher is not fit for the adminis-

tration of an object, of all things the most delicate, the supreme command of military men. They must be constrained (and their inclinations lead them to what their necessities require) by a real, vigorous, effective, decided, personal authority. The authority of the Assembly itself suffers by passing through such a debilitating channel as they have chosen. The army will not long look to an assembly acting through the organ of false show, and palpable imposition. They will not seriously yield obedience to a prisoner. They will either despise a pageant, or they will pity a captive king. This relation of your army to the crown will, if I am not greatly mistaken, become a serious dilemma in your politics.

It is besides to be considered, whether an assembly like yours, even supposing that it was in possession of another sort of organ through which its orders were to pass, is fit for promoting the obedience and discipline of an army. It is known, that armies have hitherto yielded a very precarious and uncertain obedience to any senate, or popular authority; and they will least of all yield it to an assembly which is only to have a continuance of two years. The officers must totally lose the characteristic disposition of military men, if they see with perfect submission and due admiration, the dominion of pleaders; especially when they find that they have a new court to pay to an endless succession of those pleaders; whose military policy, and the genius of whose command, (if they should have any,) must be as uncertain as their duration is transient. In the weakness of one kind of authority, and in the fluctuation of all, the officers of an army will remain for some time mutinous and full of faction, until some popular general, who understands the art of conciliating the soldiery, and who possesses the true spirit of command, shall draw the eyes of all men upon himself. Armies will obey him on his personal account. There is no other way of securing military obedience in this state of things. But the moment in which that event shall happen, the person who really commands the army is your master; the master (that is little) of your king, the master of your Assembly, the master of your whole republic.

How came the Assembly by their present power over the army? Chiefly, to be sure, by debauching the soldiers from their officers. They have begun by a most terrible operation.

They have touched the central point, about which the particles that compose armies are at repose. They have destroyed the principle of obedience in the great, essential, critical link between the officer and the soldier, just where the chain of military subordination commences and on which the whole of that system depends. The soldier is told he is a citizen, and has the rights of man and citizen. The right of a man, he is told, is to be his own governor, and to be ruled only by those to whom he delegates that self-government. It is very natural he should think that he ought most of all to have his choice where he is to yield the greatest degree of obedience. He will therefore, in all probability, systematically do, what he does at present occasionally; that is, he will exercise at least a negative in the choice of his officers. At present the officers are known at best to be only permissive, and on their good behaviour. In fact, there have been many instances in which they have been cashiered by their corps. Here is a second negative on the choice of the king; a negative as effectual at least as the other of the Assembly. The soldiers know already that it has been a question, not ill received in the National Assembly, whether they ought not to have the direct choice of their officers, or some proportion of them? When such matters are in deliberation it is no extravagant supposition that they will incline to the opinion most favourable to their pretensions. They will not bear to be deemed the army of an imprisoned king, whilst another army in the same country, with whom too they are to feast and confederate, is to be considered as the free army of a free constitution. They will cast their eyes on the other and more permanent army; I mean the municipal. That corps, they well know, does actually elect its own officers. They may not be able to discern the grounds of distinction on which they are not to elect a Marquis de la Fayette (or what is his new name?) of their own. If this election of a commander-in-chief be a part of the rights of men, why not of theirs? They see elective justices of peace, elective judges, elective curates, elective bishops, elective municipalities, and elective commanders of the Parisian army.—Why should they alone be excluded? Are the brave troops of France the only men in that nation who are not the fit judges of military merit, and of the

qualifications necessary for a commander-in-chief? Are they paid by the state, and do they therefore lose the rights of men? They are a part of that nation themselves, and contribute to that pay. And is not the king, is not the National Assembly, and are not all who elect the National Assembly, likewise paid? Instead of seeing all these forfeit their rights by their receiving a salary, they perceive that in all these cases a salary is given for the exercise of those rights. All your resolutions, all your proceedings, all your debates, all the works of your doctors in religion and politics, have industriously been put into their hands; and you expect that they will apply to their own case just as much of your doctrines and examples as suits your pleasure.

Everything depends upon the army in such a government as yours; for you have industriously destroyed all the opinions, and prejudices, and, as far as in you lay, all the instincts which support government. Therefore the moment any difference arises between your National Assembly and any part of the nation, you must have recourse to force. Nothing else is left to you; or rather you have left nothing else to yourselves. You see, by the report of your war minister, that the distribution of the army is in a great measure made with a view of internal coercion.[1] You must rule by an army; and you have infused into that army by which you rule, as well as into the whole body of the nation, principles which after a time must disable you in the use you resolve to make of it. The king is to call out troops to act against his people, when the world has been told, and the assertion is still ringing in our ears, that troops ought not to fire on citizens. The colonies assert to themselves an independent constitution and a free trade. They must be constrained by troops. In what chapter of your code of the rights of men are they able to read, that it is a part of the rights of men to have their commerce monopolized and restrained for the benefit of others? As the colonists rise on you, the negroes rise on them. Troops again—Massacre, torture, hanging! These are your rights of men! These are the fruits of metaphysic declarations wantonly made, and shamefully retracted! It was but the other day, that the

[1] Courier François, 30th July, 1790. Assemblée Nationale, Numero 210.

farmers of land in one of your provinces refused to pay some sorts of rents to the lord of the soil. In consequence of this, you decree, that the country people shall pay all rents and dues, except those which as grievances you have abolished; and if they refuse, then you order the king to march troops against them. You lay down metaphysic propositions which infer universal consequences, and then you attempt to limit logic by despotism. The leaders of the present system tell them of their rights, as men, to take fortresses, to murder guards, to seize on kings without the least appearance of authority even from the Assembly, whilst, as the sovereign legislative body, that Assembly was sitting in the name of the nation—and yet these leaders presume to order out the troops which have acted in these very disorders, to coerce those who shall judge on the principles, and follow the examples, which have been guaranteed by their own approbation.

The leaders teach the people to abhor and reject all feodality as the barbarism of tyranny, and they tell them afterwards how much of that barbarous tyranny they are to bear with patience. As they are prodigal of light with regard to grievances, so the people find them sparing in the extreme with regard to redress. They know that not only certain quit-rents and personal duties, which you have permitted them to redeem, (but have furnished no money for the redemption,) are as nothing to those burthens for which you have made no provision at all. They know, that almost the whole system of landed property in its origin is feudal; that it is the distribution of the possessions of the original proprietors, made by a barbarous conqueror to his barbarous instruments; and that the most grievous effects of the conquest are the land rents of every kind, as without question they are.

The peasants, in all probability, are the descendants of these ancient proprietors, Romans or Gauls. But if they fail, in any degree, in the titles which they make on the principles of antiquaries and lawyers, they retreat into the citadel of the rights of men. There they find that men are equal; and the earth, the kind and equal mother of all, ought not to be monopolized to foster the pride and luxury of any men, who by nature are no better than themselves, and who,

if they do not labour for their bread, are worse. They find, that by the laws of nature the occupant and subduer of the soil is the true proprietor; that there is no prescription against nature; and that the agreements (where any there are) which have been made with the landlords, during the time of slavery, are only the effect of duresse and force; and that when the people re-entered into the rights of men, those agreements were made as void, as everything else which had been settled under the prevalence of the old feudal and aristocratic tyranny. They will tell you that they see no difference between an idler with a hat and a national cockade, and an idler in a cowl, or in a rochet. If you ground the title to rents on succession and prescription, they tell you from the speech of M. *Camus*, published by the National Assembly for their information, that things ill begun cannot avail themselves of prescription; that the title of these lords was vicious in its origin; and that force is at least as bad as fraud. As to the title by succession, they will tell you, that the succession of those who have cultivated the soil is the true pedigree of property, and not rotten parchments and silly substitutions; that the lords have enjoyed their usurpation too long; and that if they allow to these lay monks any charitable pension, they ought to be thankful to the bounty of the true proprietor, who is so generous towards a false claimant to his goods.

When the peasants give you back that coin of sophistic reason, on which you have set your image and superscription, you cry it down as base money, and tell them you will pay for the future with French guards, and dragoons, and hussars. You hold up, to chastise them, the second-hand authority of a king, who is only the instrument of destroying, without any power of protecting either the people or his own person. Through him it seems you will make yourselves obeyed. They answer, You have taught us that there are no gentlemen; and which of your principles teach us to bow to kings whom we have not elected? We know, without your teaching, that lands were given for the support of feudal dignities, feudal titles, and feudal offices. When you took down the cause as a grievance, why should the more grievous effect remain? As there are now no hereditary honours, and no distinguished families, why are we taxed to

maintain what you tell us ought not to exist? You have sent down our old aristocratic landlords in no other character, and with no other title, but that of exactors under your authority. Have you endeavoured to make these your rent-gatherers respectable to us? No. You have sent them to us with their arms reversed, their shields broken, their impresses defaced; and so displumed, degraded, and metamorphosed, such unfeathered two-legged things, that we no longer know them. They are strangers to us. They do not even go by the names of our ancient lords. Physically they may be the same men; though we are not quite sure of that, on your new philosophic doctrines of personal identity. In all other respects they are totally changed. We do not see why we have not as good a right to refuse them their rents, as you have to abrogate all their honours, titles, and distinctions. This we have never commissioned you to do; and it is one instance, among many indeed, of your assumption of undelegated power. We see the burghers of Paris, through their clubs, their mobs, and their national guards, directing you at their pleasure, and giving that as law to you, which, under your authority, is transmitted as law to us. Through you, these burghers dispose of the lives and fortunes of us all. Why should not you attend as much to the desires of the laborious husbandman with regard to our rent, by which we are affected in the most serious manner, as you do to the demands of these insolent burghers, relative to distinctions and titles of honour, by which neither they nor we are affected at all? But we find you pay more regard to their fancies than to our necessities. Is it among the rights of man to pay tribute to his equals? Before this measure of yours, we might have thought we were not perfectly equal. We might have entertained some old, habitual, unmeaning prepossession in favour of those landlords; but we cannot conceive with what other view than that of destroying all respect to them, you could have made the law that degrades them. You have forbidden us to treat them with any of the old formalities of respect, and now you send troops to sabre and to bayonet us into a submission to fear and force, which you did not suffer us to yield to the mild authority of opinion.

The ground of some of these arguments is horrid and ridiculous to all rational ears; but to the politicians of meta-

physics who have opened schools for sophistry, and made establishments for anarchy, it is solid and conclusive. It is obvious, that on a mere consideration of the right, the leaders in the Assembly would not in the least have scrupled to abrogate the rents along with the titles and family ensigns. It would be only to follow up the principle of their reasonings, and to complete the analogy of their conduct. But they had newly possessed themselves of a great body of landed property by confiscation. They had this commodity at market; and the market would have been wholly destroyed, if they were to permit the husbandmen to riot in the speculations with which they so freely intoxicated themselves. The only security which property enjoys in any one of its descriptions, is from the interests of their rapacity with regard to some other. They have left nothing but their own arbitrary pleasure to determine what property is to be protected and what subverted.

Neither have they left any principle by which any of their municipalities can be bound to obedience; or even conscientiously obliged not to separate from the whole to become independent, or to connect itself with some other state. The people of Lyons, it seems, have refused lately to pay taxes. Why should they not? What lawful authority is there left to exact them? The king imposed some of them. The old states, methodized by orders, settled the more ancient. They may say to the Assembly, Who are you, that are not our kings, nor the states we have elected, nor sit on the principles on which we have elected you? And who are we, that when we see the gabelles, which you have ordered to be paid, wholly shaken off, when we see the act of disobedience afterwards ratified by yourselves, who are we, that we are not to judge what taxes we ought or ought not to pay, and who are not to avail ourselves of the same powers, the validity of which you have approved in others? To this the answer is, We will send troops. The last reason of kings is always the first with your Assembly. This military aid may serve for a time, whilst the impression of the increase of pay remains, and the vanity of being umpires in all disputes is flattered. But this weapon will snap short, unfaithful to the hand that employs it. The Assembly keep a school, where, systematically, and with unremitting perseverance, they teach

principles, and form regulations, destructive to all spirit of subordination, civil and military—and then they expect that they shall hold in obedience an anarchic people by an anarchic army.

The municipal army which, according to their new policy, is to balance this national army, if considered in itself only, is of a constitution much more simple, and in every respect less exceptionable. It is a mere democratic body, unconnected with the crown or the kingdom; armed, and trained, and officered at the pleasure of the districts to which the corps severally belong; and the personal service of the individuals, who compose, or the fine in lieu of personal service, are directed by the same authority.[1] Nothing is more uniform. If, however, considered in any relation to the crown, to the National Assembly, to the public tribunals, or to the other army, or considered in a view to any coherence or connexion between its parts, it seems a monster, and can hardly fail to terminate its perplexed movements in some great national calamity. It is a worse preservative of a general constitution, than the systasis of Crete, or the confederation of Poland, or any other ill-devised corrective which has yet been imagined, in the necessities produced by an ill-constructed system of government.

Having concluded my few remarks on the constitution of the supreme power, the executive, the judicature, the military, and on the reciprocal relation of all these establishments, I shall say something of the ability showed by your legislators with regard to the revenue.

In their proceedings relative to this object, if possible, still fewer traces appear of political judgment or financial resource. When the states met, it seemed to be the great object to improve the system of revenue, to enlarge its collection, to cleanse it of oppression and vexation, and to establish it on the most solid footing. Great were the expectations entertained on that head throughout Europe. It was

[1] I see by M. Necker's account, that the national guards of Paris have received, over and above the money levied within their own city, about £145,000 sterling out of the public treasure. Whether this be an actual payment for the nine months of their existence, or an estimate of their yearly charge, I do not clearly perceive. It is of no great importance, as certainly they may take whatever they please.

by this grand arrangement that France was to stand or fall; and this became, in my opinion, very properly, the test by which the skill and patriotism of those who ruled in that Assembly would be tried. The revenue of the state is the state. In effect all depends upon it, whether for support or for reformation. The dignity of every occupation wholly depends upon the quantity and the kind of virtue that may be exerted in it. As all great qualities of the mind which operate in public, and are not merely suffering and passive, require force for their display, I had almost said for their unequivocal existence, the revenue, which is the spring of all power, becomes in its administration the sphere of every active virtue. Public virtue, being of a nature magnificent and splendid, instituted for great things, and conversant about great concerns, requires abundant scope and room, and cannot spread and grow under confinement, and in circumstances straitened, narrow, and sordid. Through the revenue alone the body politic can act in its true genius and character, and therefore it will display just as much of its collective virtue, and as much of that virtue which may characterize those who move it, and are, as it were, its life and guiding principle, as it is possessed of a just revenue. For from hence not only magnanimity, and liberality, and beneficence, and fortitude, and providence, and the tutelary protection of all good arts, derive their food, and the growth of their organs, but continence, and self-denial, and labour, and vigilance, and frugality, and whatever else there is in which the mind shows itself above the appetite, are nowhere more in their proper element than in the provision and distribution of the public wealth. It is therefore not without reason that the science of speculative and practical finance, which must take to its aid so many auxiliary branches of knowledge, stands high in the estimation not only of the ordinary sort, but of the wisest and best men; and as this science has grown with the progress of its object, the prosperity and improvement of nations has generally increased with the increase of their revenues; and they will both continue to grow and flourish, as long as the balance between what is left to strengthen the efforts of individuals, and what is collected for the common efforts of the state, bear to each other a due reciprocal proportion, and are kept in a close corre-

spondence and communication. And perhaps it may be owing to the greatness of revenues, and to the urgency of state necessities, that old abuses in the constitution of finances are discovered, and their true nature and rational theory comes to be more perfectly understood; insomuch, that a smaller revenue might have been more distressing in one period than a far greater is found to be in another; the proportionate wealth even remaining the same. In this state of things, the French Assembly found something in their revenues to preserve, to secure, and wisely to administer, as well as to abrogate and alter. Though their proud assumption might justify the severest tests, yet in trying their abilities on their financial proceedings, I would only consider what is the plain, obvious duty of a common finance minister, and try them upon that, and not upon models of ideal perfection.

The objects of a financier are, then, to secure an ample revenue; to impose it with judgment and equality; to employ it economically; and, when necessity obliges him to make use of credit, to secure its foundations in that instance, and for ever, by the clearness and candour of his proceedings, the exactness of his calculations, and the solidity of his funds. On these heads we may take a short and distinct view of the merits and abilities of those in the National Assembly, who have taken to themselves the management of this arduous concern. Far from any increase of revenue in their hands, I find, by a report of M. Vernier, from the committee of finances, of the second of August last, that the amount of the national revenue, as compared with its produce before the Revolution, was diminished by the sum of two hundred millions, or *eight millions sterling* of the annual income, considerably more than one-third of the whole.

If this be the result of great ability, never surely was ability displayed in a more distinguished manner, or with so powerful an effect. No common folly, no vulgar incapacity, no ordinary official negligence, even no official crime, no corruption, no peculation, hardly any direct hostility which we have seen in the modern world, could in so short a time have made so complete an overthrow of the finances, and with them, of the strength of a great kingdom.—*Cedò quî vestram rempublicam tantam amisistis tam cito?*

The sophisters and declaimers, as soon as the Assembly met, began with decrying the ancient constitution of the revenue in many of its most essential branches, such as the public monopoly of salt. They charged it, as truly as unwisely, with being ill-contrived, oppressive, and partial. This representation they were not satisfied to make use of in speeches preliminary to some plan of reform; they declared it in a solemn resolution or public sentence, as it were judicially, passed upon it; and this they dispersed throughout the nation. At the time they passed the decree, with the same gravity they ordered the same absurd, oppressive, and partial tax to be paid, until they could find a revenue to replace it. The consequence was inevitable. The provinces which had been always exempted from this salt monopoly, some of whom were charged with other contributions, perhaps equivalent, were totally disinclined to bear any part of the burthen, which by an equal distribution was to redeem the others. As to the Assembly, occupied as it was with the declaration and violation of the rights of men, and with their arrangements for general confusion, it had neither leisure nor capacity to contrive, nor authority to enforce, any plan of any kind relative to the replacing the tax or equalizing it, or compensating the provinces, or for conducting their minds to any scheme of accommodation with the other districts which were to be relieved.

The people of the salt provinces, impatient under taxes, damned by the authority which had directed their payment, very soon found their patience exhausted. They thought themselves as skilful in demolishing as the Assembly could be. They relieved themselves by throwing off the whole burthen. Animated by this example, each district, or part of a district, judging of its own grievance by its own feeling, and of its remedy by its own opinion, did as it pleased with other taxes.

We are next to see how they have conducted themselves in contriving equal impositions, proportioned to the means of the citizens, and the least likely to lean heavy on the active capital employed in the generation of that private wealth, from whence the public fortune must be derived. By suffering the several districts, and several of the individuals in each district, to judge of what part of the old revenue they might

withhold, instead of better principles of equality, a new inequality was introduced of the most oppressive kind. Payments were regulated by dispositions. The parts of the kingdom which were the most submissive, the most orderly, or the most affectionate to the commonwealth, bore the whole burthen of the state. Nothing turns out to be so oppressive and unjust as a feeble government. To fill up all the deficiencies in the old impositions, and the new deficiencies of every kind which were to be expected, what remained to a state without authority? The National Assembly called for a voluntary benevolence; for a fourth part of the income of all the citizens, to be estimated on the honour of those who were to pay. They obtained something more than could be rationally calculated, but what was far indeed from answerable to their real necessities, and much less to their fond expectations. Rational people could have hoped for little from this their tax in the disguise of a benevolence; a tax weak, ineffective, and unequal; a tax by which luxury, avarice, and selfishness were screened, and the load thrown upon productive capital, upon integrity, generosity, and public spirit—a tax of regulation upon virtue. At length the mask is thrown off, and they are now trying means (with little success) of exacting their benevolence by force.

This benevolence, the ricketty offspring of weakness, was to be supported by another resource, the twin brother of the same prolific imbecility. The patriotic donations were to make good the failure of the patriotic contribution. John Doe was to become security for Richard Roe. By this scheme they took things of much price from the giver, comparatively of small value to the receiver; they ruined several trades; they pillaged the crown of its ornaments, the churches of their plate, and the people of their personal decorations. The invention of these juvenile pretenders to liberty was in reality nothing more than a servile imitation of one of the poorest resources of doting despotism. They took an old huge full-bottomed periwig out of the wardrobe of the antiquated frippery of Louis the Fourteenth, to cover the premature baldness of the National Assembly. They produced this old-fashioned formal folly, though it had been so abundantly exposed in the Memoirs of the Duke de St. Simon, if to reasonable men it had wanted any arguments to display

its mischief and insufficiency. A device of the same kind was tried in my memory by Louis the Fifteenth, but it answered at no time. However, the necessities of ruinous wars were some excuse for desperate projects. The deliberations of calamity are rarely wise. But here was a season for disposition and providence. It was in a time of profound peace, then enjoyed for five years, and promising a much longer continuance, that they had recourse to this desperate trifling. They were sure to lose more reputation by sporting, in their serious situation, with these toys and playthings of finance, which have filled half their journals, than could possibly be compensated by the poor temporary supply which they afforded. It seemed as if those who adopted such projects were wholly ignorant of their circumstances, or wholly unequal to their necessities. Whatever virtue may be in these devices, it is obvious that neither the patriotic gifts, nor the patriotic contribution, can ever be resorted to again. The resources of public folly are soon exhausted. The whole indeed of their scheme of revenue is to make, by any artifice, an appearance of a full reservoir for the hour, whilst at the same time they cut off the springs and living fountains of perennial supply. The account not long since furnished by M. Necker was meant, without question, to be favourable. He gives a flattering view of the means of getting through the year; but he expresses, as it is natural he should, some apprehension for that which was to succeed. On this last prognostic, instead of entering into the grounds of this apprehension, in order, by a proper foresight, to prevent the prognosticated evil, M. Necker receives a sort of friendly reprimand from the president of the Assembly.

As to their other schemes of taxation, it is impossible to say anything of them with certainty; because they have not yet had their operation: but nobody is so sanguine as to imagine they will fill up any perceptible part of the wide gaping breach which their incapacity has made in their revenues. At present the state of their treasury sinks every day more and more in cash, and swells more and more in fictitious representation. When so little within or without is now found but paper, the representative not of opulence but of want, the creature not of credit but of power, they imagine that our flourishing state in England is owing to

that bank-paper, and not the bank-paper to the flourishing condition of our commerce, to the solidity of our credit, and to the total exclusion of all idea of power from any part of the transaction. They forget that, in England, not one shilling of paper-money of any description is received but of choice; that the whole has had its origin in cash actually deposited; and that it is convertible at pleasure, in an instant, and without the smallest loss, into cash again. Our paper is of value in commerce, because in law it is of none. It is powerful on 'Change, because in Westminster Hall it is impotent. In payment of a debt of twenty shillings, a creditor may refuse all the paper of the bank of England. Nor is there amongst us a single public security, of any quality or nature whatsoever, that is enforced by authority. In fact it might be easily shown, that our paper wealth, instead of lessening the real coin, has a tendency to increase it; instead of being a substitute for money, it only facilitates its entry, its exit, and its circulation; that it is the symbol of prosperity, and not the badge of distress. Never was a scarcity of cash, and an exuberance of paper, a subject of complaint in this nation.

Well! but a lessening of prodigal expenses, and the economy which has been introduced by the virtuous and sapient Assembly, make amends for the losses sustained in the receipt of revenue. In this at least they have fulfilled the duty of a financier.—Have those, who say so, looked at the expenses of the National Assembly itself? of the municipalities? of the city of Paris? of the increased pay of the two armies? of the new police? of the new judicatures? Have they even carefully compared the present pension list with the former? These politicians have been cruel, not economical. Comparing the expenses of the former prodigal government and its relation to the then revenues with the expenses of this new system as opposed to the state of its new treasury, I believe the present will be found beyond all comparison more chargeable.[1]

[1] The reader will observe, that I have but lightly touched (my plan demanded nothing more) on the condition of the French finances, as connected with the demands upon them. If I had intended to do otherwise, the materials in my hands for such a task are not altogether perfect. On this subject I refer the reader to M. de Calonne's work; and the tremend-

It remains only to consider the proofs of financial ability, furnished by the present French managers when they are to raise supplies on credit. Here I am a little at a stand; for credit, properly speaking, they have none. The credit of the ancient government was not indeed the best; but they could always, on some terms, command money, not only at home, but from most of the countries of Europe where a surplus capital was accumulated; and the credit of that government was improving daily. The establishment of a system of liberty would of course be supposed to give it new strength: and so it would actually have done, if a system of liberty had been established. What offers has their government of pretended liberty had from Holland, from Hamburgh, from Switzerland, from Genoa, from England, for a dealing in their paper? Why should these nations of commerce and economy enter into any pecuniary dealings with a people, who attempt to reverse the very nature of things; amongst whom they see the debtor prescribing at the point of the bayonet, the medium of his solvency to the creditor; discharging one of his engagements with another; turning his very penury into his resource; and paying his interest with his rags?

Their fanatical confidence in the omnipotence of church plunder has induced these philosophers to overlook all care of the public estate, just as the dream of the philosopher's stone induces dupes, under the more plausible delusion of the hermetic art, to neglect all rational means of improving their fortunes. With these philosophic financiers, this universal medicine made of church mummy is to cure all the evils of the state. These gentlemen perhaps do not believe a great deal in the miracles of piety; but it cannot be questioned, that they have an undoubting faith in the prodigies of sacrilege. Is there a debt which presses them?—Issue

ous display that he has made of the havoc and devastation in the public estate, and in all the affairs of France, caused by the presumptuous good intentions of ignorance and incapacity. Such effects those causes will always produce. Looking over that account with a pretty strict eye, and, with perhaps too much rigour, deducting everything which may be placed to the account of a financier out of place, who might be supposed by his enemies desirous of making the most of his cause, I believe it will be found, that a more salutary lesson of caution against the daring spirit of innovators, than what has been supplied at the expense of France, never was at any time furnished to mankind.

assignats. Are compensations to be made, or a maintenance decreed to those whom they have robbed of their freehold in their office, or expelled from their profession?—*Assignats*. Is a fleet to be fitted out?—*Assignats*. If sixteen millions sterling of these *assignats*, forced on the people, leave the wants of the state as urgent as ever—issue, says one, thirty millions sterling of *assignats*—says another, issue fourscore millions more of *assignats*. The only difference among their financial factions is on the greater or the lesser quantity of *assignats* to be imposed on the public sufferance. They are all professors of *assignats*. Even those, whose natural good sense and knowledge of commerce, not obliterated by philosophy, furnish decisive arguments against this delusion, conclude their arguments, by proposing the emission of *assignats*. I suppose they must talk of *assignats*, as no other language would be understood. All experience of their inefficacy does not in the least discourage them. Are the old *assignats* depreciated at market?—What is the remedy? Issue new *assignats*.—*Mais si maladia, opiniatria, non vult se garire, quid illi facere? assignare—postea assignare; ensuita assignare*. The word is a trifle altered. The Latin of your present doctors may be better than that of your old comedy; their wisdom and the variety of their resources are the same. They have not more notes in their song than the cuckoo; though, far from the softness of that harbinger of summer and plenty, their voice is as harsh and as ominous as that of the raven.

Who but the most desperate adventurers in philosophy and finance could at all have thought of destroying the settled revenue of the state, the sole security for the public credit, in the hope of rebuilding it with the materials of confiscated property? If, however, an excessive zeal for the state should have led a pious and venerable prelate (by anticipation a father of the church [1]) to pillage his own order, and, for the good of the church and people, to take upon himself the place of grand financier of confiscation, and comptroller-general of sacrilege, he and his coadjutors were, in my opinion, bound to show, by their subsequent conduct, that they knew something of the office they assumed. When they had resolved to appropriate to the *Fisc*, a certain por-

La Bruyère of Bossuet.

tion of the landed property of their conquered country, it was their business to render their bank a real fund of credit, as far as such a bank was capable of becoming so.

To establish a current circulating credit upon any *Land-bank*, under any circumstances whatsoever, has hitherto proved difficult at the very least. The attempt has commonly ended in bankruptcy. But when the Assembly were led, through a contempt of moral, to a defiance of economical, principles, it might at least have been expected, that nothing would be omitted on their part to lessen this difficulty, to prevent any aggravation of this bankruptcy. It might be expected, that, to render your *Land-bank* tolerable, every means would be adopted that could display openness and candour in the statement of the security; everything which could aid the recovery of the demand. To take things in their most favourable point of view, your condition was that of a man of a large landed estate, which he wished to dispose of for the discharge of a debt, and the supply of certain services. Not being able instantly to sell, you wished to mortgage. What would a man of fair intentions, and a commonly clear understanding, do in such circumstances? Ought he not first to ascertain the gross value of the estate; the charges of its management and disposition; the encumbrances perpetual and temporary of all kinds that affect it; then, striking a net surplus, to calculate the just value of the security? When that surplus (the only security to the creditor) had been clearly ascertained, and properly vested in the hands of trustees; then he would indicate the parcels to be sold, and the time and conditions of sale; after this, he would admit the public creditor, if he chose it, to subscribe his stock into this new fund; or he might receive proposals for an *assignat* from those who would advance money to purchase this species of security.

This would be to proceed like men of business, methodically and rationally; and on the only principles of public and private credit that have an existence. The dealer would then know exactly what he purchased; and the only doubt which could hang upon his mind would be, the dread of the resumption of the spoil, which one day might be made (perhaps with an addition of punishment) from the sacrilegious gripe of those execrable wretches who could be-

come purchasers at the auction of their innocent fellow-citizens.

An open and exact statement of the clear value of the property, and of the time, the circumstances, and the place of sale, were all necessary, to efface as much as possible the stigma that has hitherto been branded on every kind of Land-bank. It became necessary on another principle, that is, on account of a pledge of faith previously given on that subject, that their future fidelity in a slippery concern might be established by their adherence to their first engagement. When they had finally determined on a state resource from church booty, they came, on the 14th of April, 1790, to a solemn resolution on the subject; and pledged themselves to their country, "that in the statement of the public charges for each year, there should be brought to account a sum sufficient for defraying the expenses of the R. C. A. religion, the support of the ministers at the altars, the relief of the poor, the pensions to the ecclesiastics, secular as well as regular, of the one and of the other sex, *in order that the estates and goods which are at the disposal of the nation may be disengaged of all charges, and employed by the representatives, or the legislative body, to the great and most pressing exigences of the state.*" They further engaged, on the same day, that the sum necessary for the year 1791 should be forthwith determined.

In this resolution they admit it their duty to show distinctly the expense of the above objects, which, by other resolutions, they had before engaged should be first in the order of provision. They admit that they ought to show the estate clear and disengaged of all charges, and that they should show it immediately. Have they done this immediately, or at any time? Have they ever furnished a rent-roll of the immovable estates, or given in an inventory of the movable effects, which they confiscate to their assignats? In what manner they can fulfil their engagements of holding out to public service, "an estate disengaged of all charges," without authenticating the value of the estate, or the quantum of the charges, I leave it to their English admirers to explain. Instantly upon this assurance, and previously to any one step towards making it good, they issue, on the credit of so handsome a declaration, sixteen millions

sterling of their paper. This was manly. Who, after this masterly stroke, can doubt of their abilities in finance?—But then, before any other emission of these financial *indulgences*, they took care at least to make good their original promise!—If such estimate, either of the value of the estate or the amount of the encumbrances, has been made, it has escaped me. I never heard of it.

At length they have spoken out, and they have made a full discovery of their abominable fraud, in holding out the church lands as a security for any debts, or any service whatsoever. They rob only to enable them to cheat; but in a very short time they defeat the ends both of the robbery and the fraud, by making out accounts for other purposes, which blow up their whole apparatus of force and of deception. I am obliged to M. de Calonne for his reference to the document which proves this extraordinary fact; it had by some means escaped me. Indeed it was not necessary to make out my assertion as to the breach of faith on the declaration of the 14th of April, 1790. By a report of their committee it now appears, that the charge of keeping up the reduced ecclesiastical establishments, and other expenses attendant on religion, and maintaining the religious of both sexes, retained or pensioned, and the other concomitant expenses of the same nature, which they have brought upon themselves by this convulsion in property, exceeds the income of the estates acquired by it in the enormous sum of two millions sterling annually; besides a debt of seven millions and upwards. These are the calculating powers of imposture! This is the finance of philosophy! This is the result of all the delusions held out to engage a miserable people in rebellion, murder, and sacrilege, and to make them prompt and zealous instruments in the ruin of their country! Never did a state, in any case, enrich itself by the confiscations of the citizens. This new experiment has succeeded like all the rest. Every honest mind, every true lover of liberty and humanity, must rejoice to find that injustice is not always good policy, nor rapine the high road to riches. I subjoin with pleasure, in a note, the able and spirited observations of M. de Calonne on this subject.[1]

[1] "Ce n'est point à l'assemblée entière que je m'adresse ici; je ne parle qu'à ceux qui l'égarent, en lui cachant sous des gazes séduisantes le

In order to persuade the world of the bottomless resource of ecclesiastical confiscation, the Assembly have proceeded to other confiscations of estates in offices, which could not be done with any common colour without being compensated out of this grand confiscation of landed property. They have thrown upon this fund, which was to show a surplus disengaged of all charges, a new charge; namely, the compensation to the whole body of the disbanded judicature; and of all suppressed offices and estates; a charge which I cannot ascertain, but which unquestionably amounts to many French millions. Another of the new charges is an annuity of four hundred and eighty thousand pounds sterling, to be paid (if they choose to keep faith) by daily payments, for the interest of the first assignats. Have they ever given themselves the trouble to state fairly the expense of the management of the church lands in the hands of the municipalities, to whose care, skill, and diligence, and that of their legion of unknown under-agents, they have chosen to commit the charge of the forfeited estates, and the consequence of which had been so ably pointed out by the bishop of Nancy?

But it is unnecessary to dwell on these obvious heads of encumbrance. Have they made out any clear state of the

but où ils l'entraînent. C'est à eux que je dis: votre objet, vous n'en disconviendrez pas, c'est d'ôter tout espoir au clergé, et de consommer sa ruine; c'est-là, en ne vous soupçonnant d'aucune combinaison de cupidité, d'aucun regard sur le jeu des effets publics, c'est-là ce qu'on doit croire que vous avez en vue dans la terrible opération que vous proposez; c'est ce qui doit en être le fruit. Mais le peuple que vous y intéressez, quel avantage peut-il y trouver? En vous servant sans cesse de lui, que faites vous pour lui? Rien, absolument rien; et, au contraire, vous faites ce qui ne conduit qu'à l'accabler de nouvelles charges. Vous avez rejeté, à son préjudice. une offre de 400 millions, dont l'acceptation pouvoit devenir un moyen de soulagement en sa faveur; et à cette ressource, aussi profitable que legitime, vous avez substitué une injustice ruineuse, qui, de votre propre aveu, charge le trésor public, et par conséquent le peuple, d'un surcroît de dépense annuelle de 50 millions au moins, et d'un remboursement de 150 millions.

"Malheureux peuple! voilà ce que vous vaut en dernier résultat l'expropriation de l'Eglise, et la dureté des décrets taxateurs du traitement des ministres d'une religion bienfaisante; et désormais ils seront à votre charge: leurs charités soulageoient les pauvres; et vous allez être imposés pour subvenir à leur entretien!"——*De l'Etat de la France*, p. 81. See also p. 92, and the following pages.

grand encumbrance of all, I mean the whole of the general and municipal establishments of all sorts, and compared it with the regular income by revenue? Every deficiency in these becomes a charge on the confiscated estate, before the creditor can plant his cabbages on an acre of church property. There is no other prop than this confiscation to keep the whole state from tumbling to the ground. In this situation they have purposely covered all, that they ought industriously to have cleared, with a thick fog; and then, blindfold themselves, like bulls that shut their eyes when they push, they drive, by the point of the bayonets, their slaves, blindfolded indeed no worse than their lords, to take their fictions for currencies, and to swallow down paper pills by thirty-four millions sterling at a dose. Then they proudly lay in their claim to a future credit, on failure of all their past engagements, and at a time when (if in such a matter anything can be clear) it is clear that the surplus estates will never answer even the first of their mortgages, I mean that of the four hundred millions (or sixteen millions sterling) of *assignats*. In all this procedure I can discern neither the solid sense of plain dealing, nor the subtle dexterity of ingenious fraud. The objections within the Assembly to pulling up the flood-gates for this inundation of fraud are unanswered; but they are thoroughly refuted by an hundred thousand financiers in the street. These are the numbers by which the metaphysic arithmeticians compute. These are the grand calculations on which a philosophical public credit is founded in France. They cannot raise supplies; but they can raise mobs. Let them rejoice in the applauses of the club at Dundee, for their wisdom and patriotism in having thus applied the plunder of the citizens to the service of the state. I hear of no address upon this subject from the directors of the bank of England; though their approbation would be of a *little* more weight in the scale of credit than that of the club at Dundee. But, to do justice to the club, I believe the gentlemen who compose it to be wiser than they appear; that they will be less liberal of their money than of their addresses; and that they would not give a dog's-ear of their most rumpled and ragged Scotch paper for twenty of your fairest assignats.

Early in this year the Assembly issued paper to the

amount of sixteen millions sterling: what must have been the state into which the Assembly has brought your affairs, that the relief afforded by so vast a supply has been hardly perceptible? This paper also felt an almost immediate depreciation of five per cent., which in a little time came to about seven. The effect of these assignats on the receipt of the revenue is remarkable. M. Necker found that the collectors of the revenue, who received in coin, paid the treasury in *assignats*. The collectors made seven per cent. by thus receiving in money, and accounting in depreciated paper. It was not very difficult to foresee, that this must be inevitable. It was, however, not the less embarrassing. M. Necker was obliged (I believe, for a considerable part, in the market of London) to buy gold and silver for the mint, which amounted to about twelve thousand pounds above the value of the commodity gained. That minister was of opinion, that, whatever their secret nutritive virtue might be, the state could not live upon *assignats* alone; that some real silver was necessary, particularly for the satisfaction of those who, having iron in their hands, were not likely to distinguish themselves for patience, when they should perceive that, whilst an increase of pay was held out to them in real money, it was again to be fraudulently drawn back by depreciated paper. The minister, in this very natural distress, applied to the Assembly, that they should order the collectors to pay in specie what in specie they had received. It could not escape him, that if the treasury paid three per cent. for the use of a currency, which should be returned seven per cent. worse than the minister issued it, such a dealing could not very greatly tend to enrich the public. The Assembly took no notice of his recommendation. They were in this dilemma—If they continued to receive the assignats, cash must become an alien to their treasury: if the treasury should refuse those paper *amulets*, or should discountenance them in any degree, they must destroy the credit of their sole resource. They seem then to have made their option; and to have given some sort of credit to their paper by taking it themselves; at the same time in their speeches they made a sort of swaggering declaration, something, I rather think, above legislative competence; that is, that there is no difference in value between metallic money

and their assignats. This was a good, stout, proof article of faith, pronounced under an anathema, by the venerable fathers of this philosophic synod. *Credat* who will—certainly not *Judæus Apella.*

A noble indignation rises in the minds of your popular leaders, on hearing the magic lantern in their show of finance compared to the fraudulent exhibitions of Mr. Law. They cannot bear to hear the sands of his Mississippi compared with the rock of the church, on which they build their system. Pray let them suppress this glorious spirit, until they show to the world what piece of solid ground there is for their assignats, which they have not pre-occupied by other charges. They do injustice to that great, mother fraud, to compare it with their degenerate imitation. It is not true that Law built solely on a speculation concerning the Mississippi. He added the East India trade; he added the African trade; he added the farms of all the farmed revenue of France. All these together unquestionably could not support the structure which the public enthusiasm, not he, chose to build upon these bases. But these were, however, in comparison, generous delusions. They supposed, and they aimed at, an increase of the commerce of France. They opened to it the whole range of the two hemispheres. They did not think of feeding France from its own substance. A grand imagination found in this flight of commerce something to captivate. It was wherewithal to dazzle the eye of an eagle. It was not made to entice the smell of a mole, nuzzling and burying himself in his mother earth, as yours is. Men were not then quite shrunk from their natural dimensions by a degrading and sordid philosophy, and fitted for low and vulgar deceptions. Above all, remember, that, in imposing on the imagination, the then managers of the system made a compliment to the freedom of men. In their fraud there was no mixture of force. This was reserved to our time, to quench the little glimmerings of reason which might break in upon the solid darkness of this enlightened age.

On recollection, I have said nothing of a scheme of finance which may be urged in favour of the abilities of these gentlemen, and which has been introduced with great pomp, though not yet finally adopted, in the National Assembly. It comes with something solid in aid of the credit of the paper circula-

tion; and much has been said of its utility and its elegance. I mean the project for coining into money the bells of the suppressed churches. This is their alchymy. There are some follies which baffle argument; which go beyond ridicule; and which excite no feeling in us but disgust; and therefore I say no more upon it.

It is as little worth remarking any further upon all their drawing and re-drawing, on their circulation for putting off the evil day, on the play between the treasury and the *Caisse d'Escompte*, and on all these old, exploded contrivances of mercantile fraud, now exalted into policy of state. The revenue will not be trifled with. The prattling about the rights of men will not be accepted in payment for a biscuit or a pound of gunpowder. Here then the metaphysicians descend from their airy speculations, and faithfully follow examples. What examples? The examples of bankrupts. But defeated, baffled, disgraced, when their breath, their strength, their inventions, their fancies desert them, their confidence still maintains its ground. In the manifest failure of their abilities, they take credit for their benevolence. When the revenue disappears in their hands, they have the presumption, in some of their late proceedings, to value *themselves* on the relief given to the people. They did not relieve the people. If they entertained such intentions, why did they order the obnoxious taxes to be paid? The people relieved themselves in spite of the Assembly.

But waving all discussion on the parties who may claim the merit of this fallacious relief, has there been, in effect, any relief to the people in any form? Mr. Bailly, one of the grand agents of paper circulation, lets you into the nature of this relief. His speech to the National Assembly contained a high and laboured panegyric on the inhabitants of Paris, for the constancy and unbroken resolution with which they have borne their distress and misery. A fine picture of public felicity! What! great courage and unconquerable firmness of mind to endure benefits, and sustain redress? One would think from the speech of this learned lord mayor, that the Parisians, for this twelvemonth past, had been suffering the straits of some dreadful blockade; that Henry the Fourth had been stopping up the avenues to their supply, and Sully thundering with his ordnance at the gates of Paris; when

in reality they are besieged by no other enemies than their own madness and folly, their own credulity and perverseness. But Mr. Bailly will sooner thaw the eternal ice of his Atlantic regions, than restore the central heat to Paris, whilst it remains "smitten with the cold, dry, petrific mace" of a false and unfeeling philosophy. Some time after this speech, that is, on the thirteenth of last August, the same magistrate, giving an account of his government at the bar of the same Assembly, expresses himself as follows: "In the month of July, 1789," [the period of everlasting commemoration,] "the finances of the city of Paris were *yet* in good order; the expenditure was counterbalanced by the receipt, and she had at that time a million" [forty thousand pounds sterling] "in bank. The expenses which she has been constrained to incur, *subsequent to the Revolution*, amount to 2,500,000 livres. From these expenses, and the great falling off in the product of *the free gifts*, not only a momentary, but a *total*, want of money has taken place." This is the Paris, upon whose nourishment, in the course of the last year, such immense sums, drawn from the vitals of all France, have been expended. As long as Paris stands in the place of ancient Rome, so long she will be maintained by the subject provinces. It is an evil inevitably attendant on the dominion of sovereign democratic republics. As it happened in Rome, it may survive that republican domination which gave rise to it. In that case despotism itself must submit to the vices of popularity. Rome, under her emperors, united the evils of both systems; and this unnatural combination was one great cause of her ruin.

To tell the people that they are relieved by the dilapidation of their public estate, is a cruel and insolent imposition. Statesmen, before they valued themselves on the relief given to the people by the destruction of their revenue, ought first to have carefully attended to the solution of this problem:—Whether it be more advantageous to the people to pay considerably, and to gain in proportion; or to gain little or nothing, and to be disburthened of all contribution? My mind is made up to decide in favour of the first proposition. Experience is with me, and, I believe, the best opinions also. To keep a balance between the power of acquisition on the part of the subject, and the demands he is to answer on the

part of the state, is the fundamental part of the skill of a true politician. The means of acquisition are prior in time and in arrangement. Good order is the foundation of all good things. To be enabled to acquire, the people, without being servile, must be tractable and obedient. The magistrate must have his reverence, the laws their authority. The body of the people must not find the principles of natural subordination by art rooted out of their minds. They must respect that property of which they cannot partake. They must labour to obtain what by labour can be obtained; and when they find, as they commonly do, the success disproportioned to the endeavour, they must be taught their consolation in the final proportions of eternal justice. Of this consolation whoever deprives them, deadens their industry, and strikes at the root of all acquisition as of all conservation. He that does this is the cruel oppressor, the merciless enemy of the poor and wretched; at the same time that by his wicked speculations he exposes the fruits of successful industry, and the accumulations of fortune, to the plunder of the negligent, the disappointed, and the unprosperous.

Too many of the financiers by profession are apt to see nothing in revenue but banks, and circulations, and annuities on lives, and tontines, and perpetual rents, and all the small wares of the shop. In a settled order of the state, these things are not to be slighted, nor is the skill in them to be held of trivial estimation. They are good, but then only good, when they assume the effects of that settled order, and are built upon it. But when men think that these beggarly contrivances may supply a resource for the evils which result from breaking up the foundations of public order, and from causing or suffering the principles of property to be subverted, they will, in the ruin of their country, leave a melancholy and lasting monument of the effect of preposterous politics, and presumptuous, short-sighted, narrow-minded wisdom.

The effects of the incapacity shown by the popular leaders in all the great members of the commonwealth are to be covered with the "all-atoning name" of liberty. In some people I see great liberty indeed; in many, if not in the most, an oppressive, degrading servitude. But what is liberty without wisdom, and without virtue? It is the greatest of all possible evils; for it is folly, vice, and madness, without

tuition or restraint. Those who know what virtuous liberty is, cannot bear to see it disgraced by incapable heads, on account of their having high-sounding words in their mouths. Grand, swelling sentiments of liberty I am sure I do not despise. They warm the heart; they enlarge and liberalize our minds; they animate our courage in a time of conflict. Old as I am, I read the fine raptures of Lucan and Corneille with pleasure. Neither do I wholly condemn the little arts and devices of popularity. They facilitate the carrying of many points of moment; they keep the people together; they refresh the mind in its exertions; and they diffuse occasional gaiety over the severe brow of moral freedom. Every politician ought to sacrifice to the graces; and to join compliance with reason. But in such an undertaking as that in France, all these subsidiary sentiments and artifices are of little avail. To make a government requires no great prudence. Settle the seat of power; teach obedience: and the work is done. To give freedom is still more easy. It is not necessary to guide; it only requires to let go the rein. But to form a *free government;* that is, to temper together these opposite elements of liberty and restraint in one consistent work, requires much thought, deep reflection, a sagacious, powerful, and combining mind. This I do not find in those who take the lead in the National Assembly. Perhaps they are not so miserably deficient as they appear. I rather believe it. It would put them below the common level of human understanding. But when the leaders choose to make themselves bidders at an auction of popularity, their talents, in the construction of the state, will be of no service. They will become flatterers instead of legislators; the instruments, not the guides, of the people. If any of them should happen to propose a scheme of liberty, soberly limited, and defined with proper qualifications, he will be immediately outbid by his competitors, who will produce something more splendidly popular. Suspicions will be raised of his fidelity to his cause. Moderation will be stigmatized as the virtue of cowards; and compromise as the prudence of traitors; until, in hopes of preserving the credit which may enable him to temper, and moderate, on some occasions, the popular leader is obliged to become active in propagating doctrines,

and establishing powers, that will afterwards defeat any sober purpose at which he ultimately might have aimed.

But am I so unreasonable as to see nothing at all that deserves commendation in the indefatigable labours of this Assembly? I do not deny that, among an infinite number of acts of violence and folly, some good may have been done. They who destroy everything certainly will remove some grievance. They who make everything new, have a chance that they may establish something beneficial. To give them credit for what they have done in virtue of the authority they have usurped, or which can excuse them in the crimes by which that authority has been acquired, it must appear, that the same things could not have been accomplished without producing such a revolution. Most assuredly they might; because almost every one of the regulations made by them, which is not very equivocal, was either in the cession of the king, voluntarily made at the meeting of the states, or in the concurrent instructions to the orders. Some usages have been abolished on just grounds; but they were such, that if they had stood as they were to all eternity, they would little detract from the happiness and prosperity of any state. The improvements of the National Assembly are superficial, their errors fundamental.

Whatever they are, I wish my countrymen rather to recommend to our neighbours the example of the British constitution, than to take models from them for the improvement of our own. In the former they have got an invaluable treasure. They are not, I think, without some causes of apprehension and complaint; but these they do not owe to their constitution, but to their own conduct. I think our happy situation owing to our constitution; but owing to the whole of it, and not to any part singly; owing in a great measure to what we have left standing in our several reviews and reformations, as well as to what we have altered or superadded. Our people will find employment enough for a truly patriotic, free, and independent spirit, in guarding what they possess from violation. I would not exclude alteration neither; but even when I changed, it should be to preserve. I should be led to my remedy by a great grievance. In what I did, I should follow the example of our ancestors. I would

make the reparation as nearly as possible in the style of the building. A politic caution, a guarded circumspection, a moral rather than a complexional timidity, were among the ruling principles of our forefathers in their most decided conduct. Not being illuminated with the light of which the gentlemen of France tell us they have got so abundant a share, they acted under a strong impression of the ignorance and fallibility of mankind. He that had made them thus fallible, rewarded them for having in their conduct attended to their nature. Let us imitate their caution, if we wish to deserve their fortune, or to retain their bequests. Let us add, if we please, but let us preserve what they have left; and standing on the firm ground of the British constitution, let us be satisfied to admire, rather than attempt to follow in their desperate flights, the aëronauts of France.

I have told you candidly my sentiments. I think they are not likely to alter yours. I do not know that they ought. You are young; you cannot guide, but must follow the fortune of your country. But hereafter they may be of some use to you, in some future form which your commonwealth may take. In the present it can hardly remain; but before its final settlement it may be obliged to pass, as one of our poets says, "through great varieties of untried being," and in all its transmigrations to be purified by fire and blood.

I have little to recommend my opinions but long observation and much impartiality. They come from one who has been no tool of power, no flatterer of greatness; and who in his last acts does not wish to belie the tenour of his life. They come from one, almost the whole of whose public exertion has been a struggle for the liberty of others; from one in whose breast no anger durable or vehement has ever been kindled, but by what he considered as tyranny; and who snatches from his share in the endeavours which are used by good men to discredit opulent oppression, the hours he has employed on your affairs; and who in so doing persuades himself he has not departed from his usual office: they come from one who desires honours, distinctions, and emoluments, but little; and who expects them not at all; who has no contempt for fame, and no fear of obloquy; who

shuns contention, though he will hazard an opinion: from one who wishes to preserve consistency, but who would preserve consistency by varying his means to secure the unity of his end; and, when the equipoise of the vessel in which he sails may be endangered by overloading it upon one side, is desirous of carrying the small weight of his reasons to that which may preserve its equipoise.

A LETTER

TO

A MEMBER OF THE NATIONAL ASSEMBLY;

IN ANSWER TO

SOME OBJECTIONS TO HIS BOOK ON FRENCH AFFAIRS.

1791.

SIR,

I HAD the honour to receive your letter of the 17th of November last; in which, with some exceptions, you are pleased to consider favourably the letter I have written on the affairs of France. I shall ever accept any mark of approbation attended with instruction with more pleasure than general and unqualified praises. The latter can serve only to flatter our vanity; the former, whilst it encourages us to proceed, may help to improve us in our progress.

Some of the errors you point out to me in my printed letter are really such. One only I find to be material. It is corrected in the edition which I take the liberty of sending to you. As to the cavils which may be made on some part of my remarks, with regard to the *gradations* in your new constitution, you observe justly that they do not affect the substance of my objections. Whether there be a round more or less in the ladder of representation, by which your workmen ascend from their parochial tyranny to their federal anarchy, when the whole scale is false, appears to me of little or no importance.

I published my thoughts on that constitution, that my countrymen might be enabled to estimate the wisdom of the plans which were held our to their imitation. I conceived

that the true character of those plans would be best collected from the committee appointed to prepare them. I thought that the scheme of their building would be better comprehended in the design of the architects than in the execution of the masons. It was not worth my reader's while to occupy himself with the alterations by which bungling practice corrects absurd theory. Such an investigation would be endless: because every day's past experience of impracticability has driven, and every day's future experience will drive, those men to new devices as exceptionable as the old; and which are no otherwise worthy of observation than as they give a daily proof of the delusion of their promises, and the falsehood of their professions. Had I followed all these changes, my letter would have been only a gazette of their wanderings; a journal of their march from error to error, through a dry dreary desert, unguided by the lights of heaven, or by the contrivance which wisdom has invented to supply their place.

I am unalterably persuaded, that the attempt to oppress, degrade, impoverish, confiscate, and extinguish the original gentlemen and landed property of a whole nation, cannot be justified under any form it may assume. I am satisfied beyond a doubt, that the project of turning a great empire into a vestry, or into a collection of vestries, and of governing it in the spirit of a parochial administration, is senseless and absurd, in any mode, or with any qualifications. I can never be convinced, that the scheme of placing the highest powers of the state in churchwardens and constables, and other such officers, guided by the prudence of litigious attornies and Jew brokers, and set in action by shameless women of the lowest condition, by keepers of hotels, taverns, and brothels, by pert apprentices, by clerks, shop-boys, hairdressers, fiddlers, and dancers on the stage, (who, in such a commonwealth as yours, will in future overbear, as already they have overborne, the sober incapacity of dull, uninstructed men, of useful but laborious occupations,) can never be put into any shape, that must not be both disgraceful and destructive. The whole of this project, even if it were what it pretends to be, and was not, in reality, the dominion, through that disgraceful medium, of half a dozen, or perhaps fewer, intriguing politicians, is so mean, so low-minded, so

stupid a contrivance, in point of wisdom, as well as so perfectly detestable for its wickedness, that I must always consider the correctives, which might make it in any degree practicable, to be so many new objections to it.

In that wretched state of things, some are afraid that the authors of your miseries may be led to precipitate their further designs, by the hints they may receive from the very arguments used to expose the absurdity of their system, to mark the incongruity of its parts, and its inconsistency with their own principles; and that your masters may be led to render their schemes more consistent, by rendering them more mischievous. Excuse the liberty which your indulgence authorizes me to take, when I observe to you, that such apprehensions as these would prevent all exertion of our faculties in this great cause of mankind.

A rash recourse to *force* is not to be justified in a state of real weakness. Such attempts bring on disgrace; and, in their failure, discountenance and discourage more rational endeavours. But *reason* is to be hazarded, though it may be perverted by craft and sophistry; for reason can suffer no loss nor shame, nor can it impede any useful plan of future policy. In the unavoidable uncertainty, as to the effect, which attends on every measure of human prudence, nothing seems a surer antidote to the poison of fraud than its detection. It is true the fraud may be swallowed after this discovery; and perhaps even swallowed the more greedily for being a detected fraud. Men sometimes make a point of honour not to be disabused; and they had rather fall into an hundred errors than confess one. But after all,—when neither our principles nor our dispositions, nor, perhaps, our talents, enable us to encounter delusion with delusion, we must use our best reason to those that ought to be reasonable creatures, and to take our chance for the event. We cannot act on these anomalies in the minds of men. I do not conceive that the persons who have contrived these things can be made much the better or the worse for anything which can be said to them. *They* are reason proof. Here and there, some men, who were at first carried away by wild, good intentions, may be led, when their first fervours are abated, to join in a sober survey of the schemes into which they had been deluded. To those only (and I am

sorry to say they are not likely to make a large description) we apply with any hope. I may speak it upon an assurance almost approaching to absolute knowledge, that nothing has been done that has not been contrived from the beginning, even before the states had assembled. *Nulla nova mihi res inopinave surgit.* They are the same men and the same designs that they were from the first, though varied in their appearance. It was the very same animal that at first crawled about in the shape of a caterpillar, that you now see rise into the air, and expand his wings to the sun.

Proceeding, therefore, as we are obliged to proceed, that is, upon an hypothesis that we address rational men, can false political principles be more effectually exposed, than by demonstrating that they lead to consequences directly inconsistent with and subversive of the arrangements grounded upon them? If this kind of demonstration is not permitted, the process of reasoning called *deductio ad absurdum*, which even the severity of geometry does not reject, could not be employed at all in legislative discussions. One of our strongest weapons against folly acting with authority would be lost.

You know, Sir, that even the virtuous efforts of you patriots to prevent the ruin of your country have had this very turn given to them. It has been said here, and in France too, that the reigning usurpers would not have carried their tyranny to such destructive lengths, if they had not been stimulated and provoked to it by the acrimony of your opposition. There is a dilemma to which every opposition to successful iniquity must, in the nature of things, be liable. If you lie still, you are considered as an accomplice in the measures in which you silently acquiesce. If you resist, you are accused of provoking irritable power to new excesses. The conduct of a losing party never appears right: at least it never can possess the only infallible criterion of wisdom to vulgar judgments—success.

The indulgence of a sort of undefined hope, an obscure confidence, that some lurking remains of virtue, some degree of shame, might exist in the breasts of the oppressors of France, has been among the causes which have helped to bring on the common ruin of king and people. There is no safety for honest men, but by believing all possible evil of evil men,

and by acting with promptitude, decision, and steadiness on that belief. I well remember at every epocha of this wonderful history, in every scene of this tragic business, that when your sophistic usurpers were laying down mischievous principles, and even applying them in direct resolutions, it was the fashion to say, that they never intended to execute those declarations in their rigour. This made men careless in their opposition, and remiss in early precaution. By holding out this fallacious hope, the impostors deluded sometimes one description of men, and sometimes another, so that no means of resistance were provided against them, when they came to execute in cruelty what they had planned in fraud.

There are cases in which a man would be ashamed not to have been imposed on. There is a confidence necessary to human intercourse, and without which men are often more injured by their own suspicions than they could be by the perfidy of others. But when men whom we *know* to be wicked impose upon us, we are something worse than dupes. When we know them, their fair pretences become new motives for distrust. There is one case indeed, in which it would be madness not to give the fullest credit to the most deceitful of men, that is, when they make declarations of hostility against us.

I find that some persons entertain other hopes, which I confess appear more specious than those by which at first so many were deluded and disarmed. They flatter themselves that the extreme misery brought upon the people by their folly will at last open the eyes of the multitude, if not of their leaders. Much the contrary, I fear. As to the leaders in this system of imposture,—you know, that cheats and deceivers never can repent. The fraudulent have no resource but in fraud. They have no other goods in their magazine. They have no virtue or wisdom in their minds, to which, in a disappointment concerning the profitable effects of fraud and cunning, they can retreat. The wearing out of an old serves only to put them upon the invention of a new delusion. Unluckily too, the credulity of dupes is as inexhaustible as the invention of knaves. They never give people possession; but they always keep them in hope. Your state doctors do not so much as pretend that any good

whatsoever has hitherto been derived from their operations, or that the public has prospered in any one instance, under their management. The nation is sick, very sick, by their medicines. But the *charlatan* tells them that what is passed cannot be helped;—they have taken the draught, and they must wait its operation with patience;—that the first effects indeed are unpleasant, but that the very sickness is a proof that the dose is of no sluggish operation;—that sickness is inevitable in all constitutional revolutions;—that the body must pass through pain to ease;—that the prescriber is not an empiric who proceeds by vulgar experience, but one who grounds his practice[1] on the sure rules of art, which cannot possibly fail. You have read, Sir, the last manifesto, or mountebank's bill, of the National Assembly. You see their presumption in their promises is not lessened by all their failures in the performance. Compare this last address of the Assembly and the present state of your affairs with the early engagements of that body; engagements which, not content with declaring, they solemnly deposed upon oath; swearing lustily, that if they were supported they would make their country glorious and happy; and then judge whether those who can write such things, or those who can bear to read them, are of *themselves* to be brought to any reasonable course of thought or action.

As to the people at large, when once these miserable sheep have broken the fold, and have got themselves loose, not from the restraint, but from the protection, of all the principles of natural authority and legitimate subordination, they become the natural prey of impostors. When they have once tasted of the flattery of knaves, they can no longer endure reason, which appears to them only in the form of censure and reproach. Great distress has never hitherto taught, and whilst the world lasts it never will teach, wise lessons to any part of mankind. Men are as much blinded by the extremes of misery as by the extremes of prosperity. Desperate situations produce desperate counsels and desperate measures. The people of France, almost generally, have

[1] It is said in the last quackish address of the National Assembly to the people of France, that they have not formed their arrangements upon vulgar practice; but on a theory which cannot fail; or something to that effect.

been taught to look for other resources than those which can be derived from order, frugality, and industry. They are generally armed; and they are made to expect much from the use of arms. *Nihil non arrogant armis.* Besides this, the retrograde order of society has something flattering to the dispositions of mankind. The life of adventurers, gamesters, gipsies, beggars, and robbers is not unpleasant. It requires restraint to keep men from falling into that habit. The shifting tides of fear and hope, the flight and pursuit, the peril and escape, the alternate famine and feasts of the savage and the thief, after a time, render all course of slow, steady, progressive, unvaried occupation, and the prospect only of a limited mediocrity at the end of long labour, to the last degree tame, languid, and insipid. Those who have been once intoxicated with power, and have derived any kind of emolument from it, even though but for one year, never can willingly abandon it. They may be distressed in the midst of all their power; but they will never look to anything but power for their relief. When did distress ever oblige a prince to abdicate his authority? And what effect will it have upon those who are made to believe themselves a people of princes?

The more active and stirring part of the lower orders having got government, and the distribution of plunder, into their hands, they will use its resources in each municipality to form a body of inherents. These rulers, and their adherents, will be strong enough to overpower the discontents of those who have not been able to assert their share of the spoil. The unfortunate adventurers in the cheating lottery of plunder will probably be the least sagacious, or the most inactive and irresolute, of the gang. If, on disappointment, they should dare to stir, they will soon be suppressed as rebels and mutineers by their brother rebels. Scantily fed for a while with the offal of plunder, they will drop off by degrees; they will be driven out of sight and out of thought; and they will be left to perish obscurely, like rats, in holes and corners.

From the forced repentance of invalid mutineers and disbanded thieves, you can hope for no resource. Government itself, which ought to constrain the more bold and dexterous of these robbers, is their accomplice. Its arms, its treasures,

its all are in their hands. Judicature, which above all things should awe them, is their creature and their instrument. Nothing seems to me to render your internal situation more desperate than this one circumstance of the state of your judicature. Many days are not passed since we have seen a set of men brought forth by your rulers for a most critical function. Your rulers brought forth a set of men, steaming from the sweat and drudgery, and all black with the smoke and soot, of the forge of confiscation and robbery—*ardentis massæ fuligine lippos*, a set of men brought forth from the trade of hammering arms of proof, offensive and defensive, in aid of the enterprises, and for the subsequent protection, of housebreakers, murderers, traitors, and malefactors; men, who had their minds seasoned with theories perfectly conformable to their practice, and who had always laughed at possession and prescription, and defied all the fundamental maxims of jurisprudence. To the horror and stupefaction of all the honest part of this nation, and indeed of all nations who are spectators, we have seen, on the credit of those very practices and principles, and to carry them further into effect, these very men placed on the sacred seat of justice in the capital city of your late kingdom. We see that in future you are to be destroyed with more form and regularity. This is not peace; it is only the introduction of a sort of discipline in their hostility. Their tyranny is complete in their justice; and their lanterne is not half so dreadful as their court.

One would think that out of common decency they would have given you men who had not been in the habit of trampling upon law and justice in the Assembly, neutral men, or men apparently neutral, for judges, who are to dispose of your lives and fortunes.

Cromwell, when he attempted to legalize his power, and to settle his conquered country in a state of order, did not look for dispensers of justice in the instruments of his usurpation. Quite the contrary. He sought out, with great solicitude and selection, and even from the party most opposite to his designs, men of weight and decorum of character; men unstained with the violence of the times, and with hands not fouled with confiscation and sacrilege: for he chose a *Hale* for his chief justice, though he abso-

lutely refused to take civic oaths, or to make any acknowledgment whatsoever of the legality of his government. Cromwell told this great lawyer, that since he did not approve his title, all he required of him was, to administer, in a manner agreeable to his pure sentiments and unspotted character, that justice without which human society cannot subsist: that it was not his particular government, but civil order itself, which, as a judge, he wished him to support. Cromwell knew how to separate the institutions expedient to his usurpation from the administration of the public justice of his country. For Cromwell was a man in whom ambition had not wholly suppressed, but only suspended, the sentiments of religion, and the love (as far as it could consist with his designs) of fair and honourable reputation. Accordingly, we are indebted to this act of his for the preservation of our laws, which some senseless assertors of the rights of men were then on the point of entirely erasing, as relics of feudality and barbarism. Besides, he gave in the appointment of that man, to that age, and to all posterity, the most brilliant example of sincere and fervent piety, exact justice, and profound jurisprudence.[1] But these are not the things in which your philosophic usurpers choose to follow Cromwell.

One would think, that after an honest and necessary revolution (if they had a mind that theirs should pass for such) your masters would have imitated the virtuous policy of those who have been at the head of revolutions of that glorious character. Burnet tells us, that nothing tended to reconcile the English nation to the government of King William so much as the care he took to fill the vacant bishoprics with men who had attracted the public esteem by their learning, eloquence, and piety, and, above all, by their known moderation in the state. With you, in your purifying revolution, whom have you chosen to regulate the church? M. Mirabeau is a fine speaker,—and a fine writer,—and a fine—a very fine man;—but really nothing gave more surprise to everybody here, than to find him the supreme head of your ecclesiastical affairs. The rest is of course. Your Assembly addresses a manifesto to France, in which they tell the people, with an insulting irony, that they have brought the

[1] See Burnet's Life of Hale.

church to its primitive condition. In one respect their declaration is undoubtedly true; for they have brought it to a state of poverty and persecution. What can be hoped for after this? Have not men, (if they deserve the name,) under this new hope and head of the church, been made bishops for no other merit than having acted as instruments of atheists; for no other merit than having thrown the children's bread to dogs; and in order to gorge the whole gang of usurers, pedlars, and itinerant Jew-discounters at the corners of streets, starved the poor of their Christian flocks, and their own brother pastors? Have not such men been made bishops to administer in temples, in which (if the patriotic donations have not already stripped them of their vessels) the churchwardens ought to take security for the altar plate, and not so much as to trust the chalice in their sacrilegious hands, so long as Jews have assignats on ecclesiastic plunder, to exchange for the silver stolen from churches?

I am told, that the very sons of such Jew-jobbers have been made bishops; persons not to be suspected of any sort of *Christian* superstition, fit colleagues to the holy prelate of Autun, and bred at the feet of that Gamaliel. We know who it was that drove the money-changers out of the temple. We see too who it is that brings them in again. We have in London very respectable persons of the Jewish nation, whom we will keep; but we have of the same tribe others of a very different description,—housebreakers, and receivers of stolen goods, and forgers of paper currency, more than we can conveniently hang. These we can spare to France, to fill the new episcopal thrones; men well versed in swearing; and who will scruple no oath which the fertile genius of any of your reformers can devise.

In matters so ridiculous, it is hard to be grave. On a view of their consequences, it is almost inhuman to treat them lightly. To what a state of savage, stupid, servile insensibility must your people be reduced, who can endure such proceedings in their church, their state, and their judicature, even for a moment! But the deluded people of France are like other madmen, who, to a miracle, bear hunger, and thirst, and cold, and confinement, and the chains and lash of their keeper, whilst all the while they

support themselves by the imagination that they are generals of armies, prophets, kings, and emperors. As to a change of mind in these men, who consider infamy as honour, degradation as preferment, bondage to low tyrants as liberty, and the practical scorn and contumely of their upstart masters as marks of respect and homage, I look upon it as absolutely impracticable. These madmen, to be cured, must first, like other madmen, be subdued. The sound part of the community, which I believe to be large, but by no means the largest part, has been taken by surprise, and is disjointed, terrified, and disarmed. That sound part of the community must first be put into a better condition, before it can do anything in the way of deliberation or persuasion. This must be an act of power, as well as of wisdom; of power, in the hands of firm, determined patriots, who can distinguish the misled from traitors, who will regulate the state (if such should be their fortune) with a discriminating, manly, and provident mercy; men, who are purged of the surfeit and indigestion of systems, if ever they have been admitted into the habit of their minds; men who will lay the foundation of a real reform, in effacing every vestige of that philosophy which pretends to have made discoveries in the *terra australis* of morality; men who will fix the state upon these bases of morals and politics, which are our old, and immemorial, and, I hope, will be our eternal, possession.

This power, to such men, must come from *without*. It may be given to you in pity; for surely no nation ever called so pathetically on the compassion of all its neighbours. It may be given by those neighbours on motives of safety to themselves. Never shall I think any country in Europe to be secure, whilst there is established, in the very centre of it, a state (if so it may be called) founded on principles of anarchy, and which is, in reality, a college of armed fanatics, for the propagation of the principles of assassination, robbery, rebellion, fraud, faction, oppression, and impiety. *Mahomet*, hid, as for a time he was, in the bottom of the sands of Arabia, had his spirit and character been discovered, would have been an object of precaution to provident minds. What if he had erected his fanatic standard for the destruction of the Christian religion in *luce Asiæ*, in the midst of

the then noon-day splendour of the then civilized world? The princes of Europe, in the beginning of this century, did well not to suffer the monarchy of France to swallow up the others. They ought not now, in my opinion, to suffer all the monarchies and commonwealths to be swallowed up in the gulf of this polluted anarchy. They may be tolerably safe at present, because the comparative power of France for the present is little. But times and occasions make dangers. Intestine troubles may arise in other countries. There is a power always on the watch, qualified and disposed to profit of every conjuncture, to establish its own principles and modes of mischief, wherever it can hope for success. What mercy would these usurpers have on other sovereigns, and on other nations, when they treat their own king with such unparalleled indignities, and so cruelly oppress their own countrymen?

The king of Prussia, in concurrence with us, nobly interfered to save Holland from confusion. The same power, joined with the rescued Holland and with Great Britain, has put the emperor in the possession of the Netherlands; and secured, under that prince, from all arbitrary innovation, the ancient hereditary constitution of those provinces. The chamber of Wetzler has restored the bishop of Liege, unjustly dispossessed by the rebellion of his subjects. The king of Prussia was bound by no treaty, nor alliance of blood, nor had any particular reasons for thinking the emperor's government would be more mischievous or more oppressive to human nature than that of the Turk: yet on mere motives of policy that prince has interposed with the threat of all his force, to snatch even the Turk from the pounces of the imperial eagle. If this is done in favour of a barbarous nation, with a barbarous neglect of police, fatal to the human race, in favour of a nation, by principle in eternal enmity with the Christian name; a nation which will not so much as give the salutation of peace (Salam) to any of us; nor make any pact with any Christian nation beyond a truce;—if this be done in favour of the Turk, shall it be thought either impolitic, or unjust, or uncharitable, to employ the same power to rescue from captivity a virtuous monarch (by the courtesy of Europe considered as Most Christian) who, after an intermission of one hundred and seventy-five years, had

called together the states of his kingdom to reform abuses, to establish a free government, and to strengthen his throne; a monarch, who at very outset, without force, even without solicitation, had given to his people such a Magna Charta of privileges as never was given by any king to any subjects?—Is it to be tamely borne by kings who love their subjects, or by subjects who love their kings, that this monarch, in the midst of these gracious acts, was insolently and cruelly torn from his palace by a gang of traitors and assassins, and kept in close prison to this very hour, whilst his royal name and sacred character were used for the total ruin of those whom the laws had appointed him to protect?

The only offence of this unhappy monarch towards his people was his attempt, under a monarchy, to give them a free constitution. For this, by an example hitherto unheard-of in the world, he has been deposed. It might well disgrace sovereigns to take part with a deposed tyrant. It would suppose in them a vicious sympathy. But not to make a common cause with a just prince, dethroned by traitors and rebels, who proscribe, plunder, confiscate, and in every way cruelly oppress their fellow-citizens, in my opinion is to forget what is due to the honour and to the rights of all virtuous and legal government.

I think the king of France to be as much an object both of policy and compassion as the Grand Seignior or his states. I do not conceive that the total annihilation of France (if that could be effected) is a desirable thing to Europe; or even to this its rival nation. Provident patriots did not think it good for Rome that even Carthage should be quite destroyed; and he was a wise Greek, wise for the general Grecian interests, as well as a brave Lacedæmonian enemy, and generous conqueror, who did not wish, by the destruction of Athens, to pluck out the other eye of Greece.

However, Sir, what I have here said of the interference of foreign princes is only the opinion of a private individual; who is neither the representative of any state, nor the organ of any party; but who thinks himself bound to express his own sentiments with freedom and energy in a crisis of such importance to the whole human race.

I am not apprehensive that in speaking freely on the subject of the king and queen of France, I shall accelerate

(as you fear) the execution of traitorous designs against them. You are of opinion, Sir, that the usurpers may, and that they will, gladly lay hold of any pretext to throw off the very name of a king:—assuredly I do not wish ill to your king; but better for him not to live (he does not reign) than to live the passive instrument of tyranny and usurpation.

I certainly meant to show, to the best of my power, that the existence of such an executive officer, in such a system of republic as theirs, is absurd in the highest degree. But in demonstrating this—to *them*, at least, I can have made no discovery. They only held out the royal name to catch those Frenchmen to whom the name of king is still venerable. They calculate the duration of that sentiment; and when they find it nearly expiring, they will not trouble themselves with excuses for extinguishing the name, as they have the thing. They used it as a sort of navel-string to nourish their unnatural offspring from the bowels of royalty itself. Now that the monster can purvey for its own subsistence, it will only carry the mark about it, as a token of its having torn the womb it came from. Tyrants seldom want pretexts. Fraud is the ready minister of injustice; and whilst the currency of false pretence and sophistic reasoning was expedient to their designs, they were under no necessity of drawing upon me to furnish them with that coin. But pretexts and sophisms have had their day, and have done their work. The usurpation no longer seeks plausibility. It trusts to power.

Nothing that I can say, or that you can say, will hasten them, by a single hour, in the execution of a design which they have long since entertained. In spite of their solemn declarations, their soothing addresses, and the multiplied oaths which they have taken and forced others to take, they will assassinate the king when his name will no longer be necessary to their designs; but not a moment sooner. They will probably first assassinate the queen, whenever the renewed menace of such an assassination loses its effect upon the anxious mind of an affectionate husband. At present, the advantage which they derive from the daily threats against her life is her only security for preserving it. They keep their sovereign alive for the purpose of exhibiting him, like some wild beast at a fair; as if they had a Bajazet in a

cage. They choose to make monarchy contemptible by exposing it to derision in the person of the most benevolent of their kings.

In my opinion their insolence appears more odious even than their crimes. The horrors of the 5th and 6th of October were less detestable than the festival of the 14th of July. There are situations (God forbid I should think that of the 5th and 6th of October one of them) in which the best men may be confounded with the worst, and in the darkness and confusion, in the press and medley of such extremities, it may not be so easy to discriminate the one from the other. The necessities created, even by ill designs, have their excuse. They may be forgotten by others when the guilty themselves do not choose to cherish their recollection, and by ruminating their offences, nourish themselves through the example of their past, to the perpetration of future, crimes. It is in the relaxation of security, it is in the expansion of prosperity, it is in the hour of dilatation of the heart, and of its softening into festivity and pleasure, that the real character of men is discerned. If there is any good in them, it appears then or never. Even wolves and tigers, when gorged with their prey, are safe and gentle. It is at such times that noble minds give all the reins to their good nature. They indulge their genius even to intemperance, in kindness to the afflicted, in generosity to the conquered; forbearing insults, forgiving injuries, overpaying benefits. Full of dignity themselves, they respect dignity in all, but they feel it sacred in the unhappy. But it is then, and basking in the sunshine of unmerited fortune, that low, sordid, ungenerous, and reptile souls swell with their hoarded poisons; it is then that they display their odious splendour, and shine out in the full lustre of their native villany and baseness. It is in that season that no man of sense or honour can be mistaken for one of them. It was in such a season, for them of political ease and security, though their people were but just emerged from actual famine, and were ready to be plunged into the gulf of penury and beggary, that your philosophic lords choose, with an ostentatious pomp and luxury, to feast an incredible number of idle and thoughtless people, collected, with art and pains, from all quarters of the world. They constructed a vast amphithe-

atre in which they raised a species of pillory.[1] On this pillory they set their lawful king and queen, with an insulting figure over their heads. There they exposed these objects of pity and respect to all good minds to the derision of an unthinking and unprincipled multitude, degenerated even from the versatile tenderness which marks the irregular and capricious feelings of the populace. That their cruel insult might have nothing wanting to complete it, they chose the anniversary of that day in which they exposed the life of their prince to the most imminent dangers and the vilest indignities, just following the instant when the assassins, whom they had hired without owning, first openly took up arms against their king, corrupted his guard, surprised his castle, butchered some of the poor invalids of his garrison, murdered his governor, and, like wild beasts, tore to pieces the chief magistrate of his capital city, on account of his fidelity to his service.

Till the justice of the world is awakened, such as these will go on, without admonition, and without provocation, to every extremity. Those who have made the exhibition of the 14th of July are capable of every evil. They do not commit crimes for their designs; but they form designs that they may commit crimes. It is not their necessity, but their nature, that impels them. They are modern philosophers; which when you say of them you express everything that is ignoble, savage, and hard-hearted.

Besides the sure tokens which are given by the spirit of their particular arrangements, there are some characteristic lineaments in the general policy of your tumultuous despotism, which, in my opinion, indicate, beyond a doubt, that no revolution whatsoever *in their disposition* is to be expected. I mean their scheme of educating the rising generation, the principles which they intend to instil, and the sympathies which they wish to form in the mind, at the season in which it is the most susceptible. Instead of forming their young minds to that docility, to that modesty, which are the grace and charm of youth, to an admiration of famous examples, and to an averseness to anything which approaches to pride, petulance, and self-conceit, (distempers to which that time

[1] The pillory (carcan) in England is generally made very high, like that raised for exposing the king of France.

of life is of itself sufficiently liable,) they artificially foment these evil dispositions, and even form them into springs of action. Nothing ought to be more weighed than the nature of books recommended by public authority. So recommended, they soon form the character of the age. Uncertain indeed is the efficacy, limited indeed is the extent, of a virtuous institution. But if education takes in *vice* as any part of its system, there is no doubt but that it will operate with abundant energy, and to an extent indefinite. The magistrate, who in favour of freedom thinks himself obliged to suffer all sorts of publications, is under a stricter duty than any other well to consider what sort of writers he shall authorize; and shall recommend by the strongest of all sanctions, that is, by public honours and rewards. He ought to be cautious how he recommends authors of mixed or ambiguous morality. He ought to be fearful of putting into the hands of youth writers indulgent to the peculiarities of their own complexion, lest they should teach the humours of the professor, rather than the principles of the science. He ought, above all, to be cautious in recommending any writer who has carried marks of a deranged understanding; for where there is no sound reason there can be no real virtue; and madness is ever vicious and malignant.

The Assembly proceeds on maxims the very reverse of these. The Assembly recommends to its youth a study of the bold experimenters of morality. Everybody knows that there is a great dispute amongst their leaders, which of them is the best resemblance of Rousseau. In truth, they all resemble him. His blood they transfuse into their minds and into their manners. Him they study; him they meditate; him they turn over in all the time they can spare from the laborious mischief of the day, or the debauches of the night. Rousseau is their canon of holy writ; in his life he is their canon of *Polycletus;* he is their standard figure of perfection. To this man and this writer, as a pattern to authors and to Frenchmen, the founderies of Paris are now running for statues, with the kettles of their poor and the bells of their churches. If an author had written like a great genius on geometry, though his practical and speculative morals were vicious in the extreme, it might appear, that in voting the statue, they honoured only the geometrician. But Rousseau is a moralist,

or he is nothing. It is impossible, therefore, putting the circumstances together, to mistake their design in choosing the author, with whom they have begun to recommend a course of studies.

Their great problem is to find a substitute for all the principles which hitherto have been employed to regulate the human will and action. They find dispositions in the mind of such force and quality as may fit men, far better than the old morality, for the purposes of such a state as theirs, and may go much further in supporting their power, and destroying their enemies. They have therefore chosen a selfish, flattering, seductive, ostentatious vice, in the place of plain duty. True humility, the basis of the Christian system, is the low, but deep and firm, foundation of all real virtue. But this, as very painful in the practice, and little imposing in the appearance, they have totally discarded. Their object is to merge all natural and all social sentiment in inordinate vanity. In a small degree, and conversant in little things, vanity is of little moment. When full grown, it is the worst of vices, and the occasional mimic of them all. It makes the whole man false. It leaves nothing sincere or trustworthy about him. His best qualities are poisoned and perverted by it, and operate exactly as the worst. When your lords had many writers as immoral as the object of their statue (such as Voltaire and others) they chose Rousseau; because in him that peculiar vice, which they wished to erect into ruling virtue, was by far the most conspicuous.

We have had the great professor and founder of *the philosophy of vanity* in England. As I had good opportunities of knowing his proceedings almost from day to day, he left no doubt on my mind that he entertained no principle either to influence his heart, or to guide his understanding, but *vanity*. With this vice he was possessed to a degree little short of madness. It is from the same deranged, eccentric vanity, that this, the insane *Socrates* of the National Assembly, was impelled to publish a mad confession of his mad faults, and to attempt a new sort of glory from bringing hardily to light the obscure and vulgar vices, which we know may sometimes be blended with eminent talents. He has not observed on the nature of vanity who does not know that it is omnivorous; that it has no choice in its food; that it is fond to talk even

of its own faults and vices, as what will excite surprise and draw attention, and what will pass at worst for openness and candour.

It was this abuse and perversion, which vanity makes even of hypocrisy, that has driven Rousseau to record a life not so much as chequered, or spotted here and there, with virtues, or even distinguished by a single good action. It is such a life he chooses to offer to the attention of mankind. It is such a life that, with a wild defiance, he flings in the face of his Creator, whom he acknowledges only to brave. Your Assembly, knowing how much more powerful example is found than precept, has chosen this man (by his own account without a single virtue) for a model. To him they erect their first statue. From him they commence their series of honours and distinctions.

It is that new invented virtue, which your masters canonize, that led their moral hero constantly to exhaust the stores of his powerful rhetoric in the expression of universal benevolence; whilst his heart was incapable of harbouring one spark of common parental affection. Benevolence to the whole species, and want of feeling for every individual with whom the professors come in contact, form the character of the new philosophy. Setting up for an unsocial independence, this their hero of vanity refuses the just price of common labour, as well as the tribute which opulence owes to genius, and which, when paid, honours the giver and the receiver: and then he pleads his beggary as an excuse for his crimes. He melts with tenderness for those only who touch him by the remotest relation, and then, without one natural pang, casts away, as a sort of offal and excrement, the spawn of his disgustful amours, and sends his children to the hospital of foundlings. The bear loves, licks, and forms her young; but bears are not philosophers. Vanity, however, finds its account in reversing the train of our natural feelings. Thousands admire the sentimental writer; the affectionate father is hardly known in his parish.

Under this philosophic instructor in the *ethics of vanity*, they have attempted in France a regeneration of the moral constitution of man. Statesmen, like your present rulers, exist by everything which is spurious, fictitious, and false; by everything which takes the man from his house, and sets

him on a stage; which makes him up an artificial creature, with painted, theatric sentiments, fit to be seen by the glare of candle-light, and formed to be contemplated at a due distance. Vanity is too apt to prevail in all of us, and in all countries. To the improvement of Frenchmen it seems not absolutely necessary that it should be taught upon system. But it is plain that the present rebellion was its legitimate offspring, and it is piously fed by that rebellion with a daily dole.

If the system of institution recommended by the Assembly be false and theatric, it is because their system of government is of the same character. To that, and to that alone, it is strictly conformable. To understand either, we must connect the morals with the politics of the legislators. Your practical philosophers, systematic in everything, have wisely begun at the source. As the relation between parents and children is the first amongst the elements of vulgar, natural morality;[1] they erect statues to a wild, ferocious, low-minded, hard-hearted father, of fine general feelings; a lover of his kind, but a hater of his kindred. Your masters reject the duties of this vulgar relation, as contrary to liberty; as not founded in the social compact; and not binding according to the rights of men; because the relation is not, of course, the result of *free election;* never so on the side of the children, not always on the part of the parents.

The next relation which they regenerate by their statues to Rousseau, is that which is next in sanctity to that of a father. They differ from those old-fashioned thinkers, who considered pedagogues as sober and venerable characters, and allied to the parental. The moralists of the dark times, *preceptorum sancti voluere parentis esse loco.* In this age of light, they teach the people that preceptors ought to be in the place of gallants. They systematically corrupt a very corruptible race, (for some time a growing nuisance amongst you,) a set of pert, petulant literators, to whom, instead of their proper, but severe, unostentatious duties, they assign the brilliant part of men of wit and pleasure, of gay, young,

[1] Filiola tua te delectari lætor et probari tibi στοργην φυσικην esse τὴν προς τα τεκνα: etenim, si hæc non est, nulla potest homini esse ad hominem naturæ adjunctio: qua sublata vitæ societas tollitur. Valete Patron (Rousseau) et tui condiscipuli! (I.'Assemblée Nationale.)—Cic. Ep. ad Atticum.

military sparks, and danglers at toilets. They call on the rising generation in France to take a sympathy in the adventures and fortunes, and they endeavour to engage their sensibility on the side of pedagogues, who betray the most awful family trusts, and vitiate their female pupils. They teach the people that the debauchers of virgins, almost in the arms of their parents, may be safe inmates in the houses, and even fit guardians of the honour, of those husbands who succeed legally to the office which the young literators had pre-occupied, without asking leave of law or conscience.

Thus they dispose of all the family relations of parents and children, husbands and wives. Through this same instructor, by whom they corrupt the morals, they corrupt the taste. Taste and elegance, though they are reckoned only among the smaller and secondary morals, yet are of no mean importance in the regulation of life. A moral taste is not of force to turn vice into virtue; but it recommends virtue with something like the blandishments of pleasure; and it infinitely abates the evils of vice. Rousseau, a writer of great force and vivacity, is totally destitute of taste in any sense of the word. Your masters, who are his scholars, conceive that all refinement has an aristocratic character. The last age had exhausted all its powers in giving a grace and nobleness to our natural appetites, and in raising them into a higher class and order than seemed justly to belong to them. Through Rousseau, your masters are resolved to destroy these aristocratic prejudices. The passion called love has so general and powerful an influence; it makes so much of the entertainment, and indeed so much of the occupation, of that part of life which decides the character for ever, that the mode and the principles on which it engages the sympathy, and strikes the imagination, become of the utmost importance to the morals and manners of every society. Your rulers were well aware of this; and in their system of changing your manners to accommodate them to their politics, they found nothing so convenient as Rousseau. Through him they teach men to love after the fashion of philosophers; that is, they teach to men, to Frenchmen, a love without gallantry; a love without anything of that fine flower of youthfulness and gentility, which places it, if not among the virtues, among the ornaments of life. Instead of this passion, naturally allied to

grace and manners, they infuse into their youth an unfashioned, indelicate, sour, gloomy, ferocious medley of pedantry and lewdness; of metaphysical speculations blended with the coarsest sensuality. Such is the general morality of the passions to be found in their famous philosopher, in his famous work of philosophic gallantry the *Nouvelle Eloise*.

When the fence from the gallantry of preceptors is broken down, and your families are no longer protected by decent pride, and salutary domestic prejudice, there is but one step to a frightful corruption. The rulers in the National Assembly are in good hopes that the females of the first families in France may become an easy prey to dancing-masters, fiddlers, pattern-drawers, friseurs, and valets de chambre, and other active citizens of that description, who having the entry into your houses, and being half domesticated by their situation, may be blended with you by regular and irregular relations. By a law they have made these people your equals. By adopting the sentiments of Rousseau they have made them your rivals. In this manner these great legislators complete their plan of levelling, and establish their rights of men on a sure foundation.

I am certain that the writings of Rousseau lead directly to this kind of shameful evil. I have often wondered how he comes to be so much more admired and followed on the continent than he is here. Perhaps a secret charm in the language may have its share in this extraordinary difference. We certainly perceive, and to a degree we feel, in this writer, a style glowing, animated, enthusiastic; at the same time that we find it lax, diffuse, and not in the best taste of composition; all the members of the piece being pretty equally laboured and expanded, without any due selection or subordination of parts. He is generally too much on the stretch, and his manner has little variety. We cannot rest upon any of his works, though they contain observations which occasionally discover a considerable insight into human nature. But his doctrines, on the whole, are so inapplicable to real life and manners, that we never dream of drawing from them any rule for laws or conduct, or for fortifying or illustrating anything by a reference to his opinions. They have with us the fate of older paradoxes,

Cum ventum ad verum *est* sensus moresque *repugnant,*
Atque ipsa utilitas justi prope mater et æqui.

Perhaps bold speculations are more acceptable because more new to you than to us, who have been long since satiated with them. We continue, as in the two last ages, to read, more generally than I believe is now done on the continent, the authors of sound antiquity. These occupy our minds. They give us another taste and turn; and will not suffer us to be more than transiently amused with paradoxical morality. It is not that I consider this writer as wholly destitute of just notions. Amongst his irregularities, it must be reckoned that he is sometimes moral, and moral in a very sublime strain. But the *general spirit and tendency* of his works is mischievous; and the more mischievous for this mixture: for perfect depravity of sentiment is not reconcilable with eloquence; and the mind (though corruptible, not complexionally vicious) would reject, and throw off with disgust, a lesson of pure and unmixed evil. These writers make even virtue a pander to vice.

However, I less consider the author than the system of the Assembly in perverting morality through his means. This I confess makes me nearly despair of any attempt upon the minds of their followers, through reason, honour, or conscience. The great object of your tyrants is to destroy the gentlemen of France; and for that purpose they destroy, to the best of their power, all the effect of those relations which may render considerable men powerful, or even safe. To destroy that order, they vitiate the whole community. That no means may exist of confederating against their tyranny, by the false sympathies of this Nouvelle Eloise they endeavour to subvert those principles of domestic trust and fidelity, which form the discipline of social life. They propagate principles by which every servant may think it, if not his duty, at least his privilege, to betray his master. By these principles, every considerable father of a family loses the sanctuary of his house. *Debet sua cuique domus esse perfugium tutissimum,* says the law, which your legislators have taken so much pains first to decry, then to repeal. They destroy all the tranquillity and security of domestic life; turning the asylum of the house into a gloomy prison,

where the father of the family must drag out a miserable existence, endangered in proportion to the apparent means of his safety; where he is worse than solitary in a crowd of domestics, and more apprehensive from his servants and inmates, than from the hired, blood-thirsty mob without-doors, who are ready to pull him to the lanterne.

It is thus, and for the same end, that they endeavour to destroy that tribunal of conscience which exists independently of edicts and decrees. Your despots govern by terror. They know that he who fears God fears nothing else: and therefore they eradicate from the mind, through their Voltaire, their Helvetius, and the rest of that infamous gang, that only sort of fear which generates true courage. Their object is, that their fellow-citizens may be under the dominion of no awe, but that of their committee of research, and of their lanterne.

Having found the advantage of assassination in the formation of their tyranny, it is the grand resource in which they trust for the support of it. Whoever opposes any of their proceedings, or is suspected of a design to oppose them, is to answer it with his life, or the lives of his wife and children. This infamous, cruel, and cowardly practice of assassination they have the impudence to call *merciful*. They boast that they have operated their usurpation rather by terror than by force; and that a few seasonable murders have prevented the bloodshed of many battles. There is no doubt they will extend these acts of mercy whenever they see an occasion. Dreadful, however, will be the consequences of their attempt to avoid the evils of war by the merciful policy of murder. If, by effectual punishment of the guilty, they do not wholly disavow that practice, and the threat of it too, as any part of their policy; if ever a foreign prince enters into France, he must enter it as into a country of assassins. The mode of civilized war will not be practised; nor are the French who act on the present system entitled to expect it. They, whose known policy is to assassinate every citizen whom they suspect to be discontented by their tyranny, and to corrupt the soldiery of every open enemy, must look for no modified hostility. All war, which is not battle, will be military execution. This will beget acts of retaliation from you; and every retaliation will beget a new revenge. The hell-hounds

of war, on all sides, will be uncoupled and unmuzzled. The new school of murder and barbarism, set up in Paris, having destroyed (so far as in it lies) all the other manners and principles which have hitherto civilized Europe, will destroy also the mode of civilized war, which, more than anything else, has distinguished the Christian world. Such is the approaching golden age, which the Virgil[1] of your Assembly has sung to his Pollios!

In such a situation of your political, your civil, and your social morals and manners, how can you be hurt by the freedom of any discussion? Caution is for those who have something to lose. What I have said, to justify myself in not apprehending any ill consequence from a free discussion of the absurd consequences which flow from the relation of the lawful king to the usurped constitution, will apply to my vindication with regard to the exposure I have made of the state of the army under the same sophistic usurpation. The present tyrants want no arguments to prove, what they must daily feel, that no good army can exist on their principles. They are in no want of a monitor to suggest to them the policy of getting rid of the army, as well as of the king, whenever they are in a condition to effect that measure. What hopes may be entertained of your army for the restoration of your liberties, I know not. At present, yielding obedience to the pretended orders of a king, who, they are perfectly apprized, has no will, and who never can issue a mandate which is not intended, in the first operation, or in its certain consequences, for his own destruction, your army seems to make one of the principal links in the chain of that servitude of anarchy, by which a cruel usurpation holds an undone people at once in bondage and confusion.

You ask me what I think of the conduct of General Monk. How this affects your case I cannot tell. I doubt whether you possess, in France, any persons of a capacity to serve the French monarchy in the same manner in which Monk served the monarchy of England. The army which Monk commanded had been formed by Cromwell to a perfection of discipline which perhaps has never been exceeded. That army was besides of an excellent composition. The soldiers

[1] Mirabeau's speech concerning universal peace.

were men of extraordinary piety after their mode, of the greatest regularity, and even severity of manners; brave in the field, but modest, quiet, and orderly in their quarters; men who abhorred the idea of assassinating their officers or any other persons; and who (they at least who served in this island) were firmly attached to those generals by whom they were well treated and ably commanded. Such an army, once gained, might be depended on. I doubt much, if you could now find a Monk, whether a Monk could find in France such an army.

I certainly agree with you, that in all probability we owe our whole constitution to the restoration of the English monarchy. The state of things from which Monk relieved England, was however by no means, at that time, so deplorable, in any sense, as yours is now, and under the present sway is likely to continue. Cromwell had delivered England from anarchy. His government, though military and despotic, had been regular and orderly. Under the iron, and under the yoke, the soil yielded its produce. After his death, the evils of anarchy were rather dreaded than felt. Every man was yet safe in his house and in his property. But it must be admitted, that Monk freed this nation from great and just apprehensions both of future anarchy and of probable tyranny in some form or other. The king whom he gave us was indeed the very reverse of your benignant sovereign, who, in reward for his attempt to bestow liberty on his subjects, languishes himself in prison. The person given to us by Monk was a man without any sense of his duty as a prince, without any regard to the dignity of his crown; without any love to his people; dissolute, false, venal, and destitute of any positive good quality whatsoever, except a pleasant temper, and the manners of a gentleman. Yet the restoration of our monarchy, even in the person of such a prince, was everything to us; for without monarchy in England, most certainly we never can enjoy either peace or liberty. It was under this conviction that the very regular step, which we took on the Revolution of 1688, was to fill the throne with a real king; and even before it could be done in due form, the chiefs of the nation did not attempt themselves to exercise authority so much as by *interim*. They instantly requested the Prince of Orange to take the

government on himself. The throne was not effectively vacant for an hour.

Your fundamental laws, as well as ours, suppose a monarchy. Your zeal, Sir, in standing so firmly for it as you have done, shows not only a sacred respect for your honour and fidelity, but a well-informed attachment to the real welfare and true liberties of your country. I have expressed myself ill, if I have given you cause to imagine that I prefer the conduct of those who have retired from this warfare, to your behaviour, who, with a courage and constancy almost supernatural, have struggled against tyranny, and kept the field to the last. You see I have corrected the exceptionable part in the edition which I now send you. Indeed, in such terrible extremities as yours, it is not easy to say, in a political view, what line of conduct is the most advisable. In that state of things, I cannot bring myself severely to condemn persons who are wholly unable to bear so much as the sight of those men in the throne of legislation, who are only fit to be the objects of criminal justice. If fatigue, if disgust, if unsurmountable nausea drive them away from such spectacles, *ubi miseriarum pars non minima erat, videre et aspici*, I cannot blame them. He must have a heart of adamant who could hear a set of traitors, puffed up with unexpected and undeserved power, obtained by an ignoble, unmanly, and perfidious rebellion, treating their honest fellow-citizens as *rebels*, because they refused to bind themselves, through their conscience, against the dictates of conscience itself, and had declined to swear an active compliance with their own ruin. How could a man of common flesh and blood endure, that those, who but the other day had skulked unobserved in their antechambers, scornfully insulting men, illustrious in their rank, sacred in their function, and venerable in their character, now in decline of life, and swimming on the wrecks of their fortunes, that those miscreants should tell such men scornfully and outrageously, after they had robbed them of all their property, that it is more than enough if they are allowed what will keep them from absolute famine, and that, for the rest, they must let their grey hairs fall over the plough, to make out a scanty subsistence with the labour of their hands! Last, and worst, who could endure to hear this unnatural, insolent, and

savage despotism called liberty? If, at this distance, sitting by my fire, I cannot read their decrees and speeches without indignation, shall I condemn those who have fled from the actual sight and hearing of all these horrors? No, no! mankind has no title to demand that we should be slaves to their guilt and insolence; or that we should serve them in spite of themselves. Minds, sore with the poignant sense of insulted virtue, filled with high disdain against the pride of triumphant baseness, often have it not in their choice to stand their ground. Their complexion (which might defy the rack) cannot go through such a trial. Something very high must fortify men to that proof. But when I am driven to comparison, surely I cannot hesitate for a moment to prefer to such men as are common, those heroes, who, in the midst of despair, perform all the tasks of hope; who subdue their feelings to their duties; who, in the cause of humanity, liberty, and honour, abandon all the satisfactions of life, and every day incur a fresh risk of life itself. Do me the justice to believe that I never can prefer any fastidious virtue (virtue still) to the unconquered perseverance, to the affectionate patience, of those who watch day and night by the bed-side of their delirious country, who, for their love to that dear and venerable name, bear all the disgusts and all the buffets they receive from their frantic mother. Sir, I do look on you as true martyrs; I regard you as soldiers who act far more in the spirit of our Commander-in-chief, and the Captain of our salvation, than those who have left you; though I must first bolt myself very thoroughly, and know that I could do better, before I can censure them. I assure you, Sir, that when I consider your unconquerable fidelity to your sovereign, and to your country; the courage, fortitude, magnanimity, and long-suffering of yourself, and the Abbé Maury, and of M. Cazales, and of many worthy persons of all orders, in your Assembly, I forget, in the lustre of these great qualities, that on your side has been displayed an eloquence so rational, manly, and convincing, that no time or country, perhaps, has ever excelled. But your talents disappear in my admiration of your virtues.

As to M. Mounier and M. Lally, I have always wished to do justice to their parts, and their eloquence, and the general purity of their motives. Indeed I saw very well,

from the beginning, the mischiefs which, with all these talents and good intentions, they would do their country, through their confidence in systems. But their distemper was an epidemic malady. They were young and inexperienced; and when will young and inexperienced men learn caution and distrust of themselves? And when will men, young or old, if suddenly raised to far higher power than that which absolute kings and emperors commonly enjoy, learn anything like moderation? Monarchs in general respect some settled order of things, which they find it difficult to move from its basis, and to which they are obliged to conform, even when there are no positive limitations to their power. These gentlemen conceived that they were chosen to new-model the state, and even the whole order of civil society itself. No wonder that *they* entertained dangerous visions, when the king's ministers, trustees for the sacred deposit of the monarchy, were so infected with the contagion of project and system, (I can hardly think it black premeditated treachery,) that they publicly advertised for plans and schemes of government, as if they were to provide for the rebuilding of an hospital that had been burned down. What was this, but to unchain the fury of rash speculation amongst a people of itself but too apt to be guided by a heated imagination, and a wild spirit of adventure?

The fault of M. Mounier and M. Lally was very great; but it was very general. If those gentlemen stopped when they came to the brink of the gulf of guilt and public misery, that yawned before them in the abyss of these dark and bottomless speculations, I forgive their first error: in that they were involved with many. Their repentance was their own.

They who consider Mounier and Lally as deserters, must regard themselves as murderers and as traitors: for from what else than murder and treason did they desert? For my part, I honour them for not having carried mistake into crime. If, indeed, I thought that they were not cured by experience; that they were not made sensible that those, who would reform a state, ought to assume some actual constitution of government which is to be reformed; if they are not at length satisfied that it is become a necessary preliminary to liberty in France, to commence by the re-establishment of order and property of *every* kind, and, through

the re-establishment of their monarchy, of every one of the old habitual distinctions and classes of the state; if they do not see that these classes are not to be confounded in order to be afterwards revived and separated; if they are not convinced that the scheme of parochial and club governments takes up the state at the wrong end, and is a low and senseless contrivance, (as making the sole constitution of a supreme power,) I should then allow that their early rashness ought to be remembered to the last moment of their lives.

You gently reprehend me, because, in holding out the picture of your disastrous situation, I suggest no plan for a remedy. Alas! Sir, the proposition of plans, without an attention to circumstances, is the very cause of all your misfortunes; and never shall you find me aggravating, by the infusion of any speculations of mine, the evils which have arisen from the speculations of others. Your malady, in this respect, is a disorder of repletion. You seem to think that my keeping back my poor ideas may arise from an indifference to the welfare of a foreign, and, sometimes, an hostile nation. No, Sir, I faithfully assure you, my reserve is owing to no such causes. Is this letter, swelled to a second book, a mark of national antipathy, or even of national indifference? I should act altogether in the spirit of the same caution, in a similar state of our own domestic affairs. If I were to venture any advice, in any case, it would be my best. The sacred duty of an adviser (one of the most inviolable that exists) would lead me, towards a real enemy, to act as if my best friend were the party concerned. But I dare not risk a speculation with no better view of your affairs than at present I can command; my caution is not from disregard, but from solicitude for your welfare. It is suggested solely from my dread of becoming the author of inconsiderate counsel.

It is not, that, as this strange series of actions has passed before my eyes, I have not indulged my mind in a great variety of political speculations concerning them. But compelled by no such positive duty as does not permit me to evade an opinion; called upon by no ruling power, without authority as I am, and without confidence, I should ill answer my own ideas of what would become myself, or what would be serviceable to others, if I were, as a volunteer, to

obtrude any project of mine upon a nation, to whose circumstances I could not be sure it might be applicable.

Permit me to say, that if I were as confident, as I ought to be diffident, in my own loose, general ideas, I never should venture to broach them, if but at twenty leagues distance from the centre of your affairs. I must see with mine own eyes, I must, in a manner, touch with my own hands, not only the fixed but the momentary circumstances, before I could venture to suggest any political project whatsoever. I must know the power and disposition to accept, to execute, to persevere. I must see all the aids, and all the obstacles. I must see the means of correcting the plan, where correctives would be wanted. I must see the things; I must see the men. Without a concurrence and adaptation of these to the design, the very best speculative projects might become not only useless but mischievous. Plans must be made for men. We cannot think of making men and binding nature to our designs. People at a distance must judge ill of men. They do not always answer to their reputation when you approach them. Nay, the perspective varies, and shows them quite otherwise than you thought them. At a distance, if we judge uncertainly of men, we must judge worse of *opportunities*, which continually vary their shapes and colours, and pass away like clouds. The Eastern politicians never do anything without the opinion of the astrologers on the *fortunate moment*. They are in the right if they do no better; for the opinion of fortune is something towards commanding it. Statesmen of a more judicious prescience look for the fortunate moment too; but they seek it, not in the conjunctions and oppositions of planets, but in the conjunctions and oppositions of men and things. These form their almanack.

To illustrate the mischief of a wise plan, without any attention to means and circumstances, it is not necessary to go farther than to your recent history. In the condition in which France was found three years ago, what better system could be proposed, what less, even savouring of wild theory, what fitter to provide for all the exigencies, whilst it reformed all the abuses, of government, than the convention of the states-general? I think nothing better could be imagined. But I have censured, and do still presume to cen-

sure, your parliament of Paris for not having suggested to the king, that this proper measure was of all measures the most critical and arduous; one in which the utmost circumspection and the greatest number of precautions were the most absolutely necessary. The very confession that a government wants either amendment in its conformation, or relief to great distress, causes it to lose half its reputation, and as great a proportion of its strength as depends upon that reputation. It was therefore necessary, first to put government out of danger, whilst at its own desire it suffered such an operation, as a general reform at the hands of those who were much more filled with a sense of the disease, than provided with rational means of a cure.

It may be said, that this care, and these precautions, were more naturally the duty of the king's ministers, than that of the parliament. They were so; but every man must answer in his estimation for the advice he gives, when he puts the conduct of his measure into hands who he does not know will execute his plans according to his ideas. Three or four ministers were not to be trusted with the being of the French monarchy, of all the orders, and of all the distinctions, and all the property of the kingdom. What must be the prudence of those who could think, in the then known temper of the people of Paris, of assembling the states at a place situated as Versailles?

The parliament of Paris did worse than to inspire this blind confidence into the king. For, as if names were things, they took no notice of (indeed they rather countenanced) the deviations which were manifest in the execution, from the true ancient principles of the plan which they recommended. These deviations (as guardians of the ancient laws, usages, and constitution of the kingdom) the parliament of Paris ought not to have suffered, without the strongest remonstrances to the throne. It ought to have sounded the alarm to the whole nation, as it had often done on things of infinitely less importance. Under pretence of resuscitating the ancient constitution, the parliament saw one of the strongest acts of innovation, and the most leading in its consequences, carried into effect before their eyes; and an innovation through the medium of despotism; that is, they suffered the king's ministers to new-model the whole

representation of the *tiers etat*, and, in a great measure, that of the clergy too, and to destroy the ancient proportions of the orders. These changes, unquestionably, the king had no right to make; and here the parliaments failed in their duty, and, along with their country, have perished by this failure.

What a number of faults have led to this multitude of misfortunes, and almost all from this one source,—that of considering certain general maxims, without attending to circumstances, to times, to places, to conjunctures, and to actors! If we do not attend scrupulously to all these, the medicine of to-day becomes the poison of to-morrow. If any measure was in the abstract better than another, it was to call the states—*ea visa salus morientibus una.*—Certainly it had the appearance.—But see the consequences of not attending to critical moments, of not regarding the symptoms which discriminate diseases, and which distinguish constitutions, complexions, and humours:

> *Mox erat hoc ipsum exitio; furiisque refecti,*
> *Ardebant; ipsique suos, jam morte sub ægra,*
> *Discissos nudis laniabant dentibus artus.*

Thus the potion which was given to strengthen the constitution, to heal divisions, and to compose the minds of men, became the source of debility, phrensy, discord, and utter dissolution.

In this, perhaps, I have answered, I think, another of your questions—Whether the British constitution is adapted to your circumstances? When I praised the British constitution, and wished it to be well studied, I did not mean that its exterior form and positive arrangement should become a model for you, or for any people, servilely to copy. I meant to recommend the *principles* from which it has grown, and the policy on which it has been progressively improved out of elements common to you and to us. I am sure it is no visionary theory of mine. It is not an advice that subjects you to the hazard of any experiment. I believed the ancient principles to be wise in all cases of a large empire that would be free. I thought you possessed our principles in your old forms, in as great a perfection as we did originally. If your states agreed (as I think they did) with your circumstances.

they were best for you. As you had a constitution formed upon principles similar to ours, my idea was, that you might have improved them as we have done, conforming them to the state and exigencies of the times, and the condition of property in your country; having the conservation of that property, and the substantial basis of your monarchy, as principal objects in all your reforms.

I do not advise a House of Lords to you. Your ancient course by representatives of the noblesse (in your circumstances) appears to me rather a better institution. I know that, with you, a set of men of rank have betrayed their constituents, their honour, their trust, their king, and their country, and levelled themselves with their footmen, that through this degradation they might afterwards put themselves above their natural equals. Some of these persons have entertained a project, that, in reward of this their black perfidy and corruption, they may be chosen to give rise to a new order, and to establish themselves into a House of Lords. Do you think that, under the name of a British constitution, I mean to recommend to you such lords, made of such kind of stuff? I do not however include in this description all of those who are fond of this scheme.

If you were now to form such a House of Peers, it would bear, in my opinion, but little resemblance to ours in its origin, character, or the purposes which it might answer, at the same time that it would destroy your true natural nobility: but if you are not in a condition to frame a House of Lords, still less are you capable, in my opinion, of framing anything which virtually and substantially could be answerable (for the purposes of a stable, regular government) to our House of Commons. That House is, within itself, a much more subtle and artificial combination of parts and powers, than people are generally aware of. What knits it to the other members of the constitution; what fits it to be at once the great support and the great control of government; what makes it of such admirable service to that monarchy which, if it limits, it secures and strengthens, would require a long discourse, belonging to the leisure of a contemplative man, not to one whose duty it is to join in communicating practically to the people the blessings of such a constitution.

Your *tiers etat* was not in effect and substance a House of Commons. You stood in absolute need of something else to upply the manifest defects in such a body as your *tiers etat*. On a sober and dispassionate view of your old constitution, as connected with all the present circumstances, I was fully persuaded, that the crown, standing as things have stood, (and are likely to stand, if you are to have any monarchy at all,) was and is capable, alone and by itself, of holding a just balance between the two orders, and at the same time of effecting the interior and exterior purposes of a protecting government. I, whose leading principle it is, in a reformation of the state, to make use of existing materials, am of opinion, that the representation of the clergy, as a separate order, was an institution which touched all the orders more nearly than any of them touched the other; that it was well fitted to connect them; and to hold a place in any wise, monarchical commonwealth. If I refer you to your original constitution, and think it, as I do, substantially a good one, I do not amuse you in this, more than in other things, with any inventions of mine. A certain intemperance of intellect is the disease of the time, and the source of all its other diseases. I will keep myself as untainted by it as I can. Your architects build without a foundation. I would readily lend a helping hand to any superstructure, when once this is effectually secured—but first I would say, δος που στω.

You think, Sir, and you may think rightly, upon the first view of the theory, that to provide for the exigencies of an empire, so situated and so related as that of France, its king ought to be invested with powers very much superior to those which the king of England possesses under the letter of our constitution. Every degree of power necessary to the state, and not destructive to the rational and moral freedom of individuals, to that personal liberty, and personal security, which contribute so much to the vigour, the prosperity, the happiness, and the dignity of a nation—every degree of power which does not suppose the total absence of all control and all responsibility on the part of ministers, —a king of France, in common sense, ought to possess. But whether the exact measure of authority, assigned by the letter of the law to the king of Great Britain, can answer to

the exterior or interior purposes of the French monarchy, is a point which I cannot venture to judge upon. Here, both in the power given, and its limitations, we have always cautiously felt our way. The parts of our constitution have gradually, and almost insensibly, in a long course of time, accommodated themselves to each other, and to their common, as well as to their separate, purposes. But this adaptation of contending parts, as it has not been in ours, so it can never be in yours, or in any country, the effect of a single instantaneous regulation, and no sound heads could ever think of doing it in that manner.

I believe, Sir, that many on the continent altogether mistake the condition of a king of Great Britain. He is a real king, and not an executive officer. If he will not trouble himself with contemptible details, nor wish to degrade himself by becoming a party in little squabbles, I am far from sure, that a king of Great Britain, in whatever concerns him as a king, or indeed as a rational man, who combines his public interest with his personal satisfaction, does not possess a more real, solid, extensive power, than the king of France was possessed of before this miserable Revolution. The direct power of the king of England is considerable. His indirect, and far more certain power, is great indeed. He stands in need of nothing towards dignity; of nothing towards splendour; of nothing towards authority; of nothing at all towards consideration abroad. When was it that a king of England wanted wherewithal to make him respected, courted, or perhaps even feared, in every state of Europe?

I am constantly of opinion, that your states, in three orders, on the footing on which they stood in 1614, were capable of being brought into a proper and harmonious combination with royal authority. This constitution by estates, was the natural and only just representation of France. It grew out of the habitual conditions, relations, and reciprocal claims of men. It grew out of the circumstances of the country, and out of the state of property. The wretched scheme of your present masters is not to fit the constitution to the people, but wholly to destroy conditions, to dissolve relations, to change the state of the nation, and to subvert

property, in order to fit their country to their theory of a constitution.

Until you make out practically that great work, a combination of opposing forces, "a work of labour long, and endless praise," the utmost caution ought to have been used in the reduction of the royal power, which alone was capable of holding together the comparatively heterogeneous mass of your states. But, at this day, all these considerations are unseasonable. To what end should we discuss the limitations of royal power? Your king is in prison. Why speculate on the measure and standard of liberty? I doubt much, very much indeed, whether France is at all ripe for liberty on any standard. Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites; in proportion as their love to justice is above their rapacity; in proportion as their soundness and sobriety of understanding is above their vanity and presumption; in proportion as they are more disposed to listen to the counsels of the wise and good, in preference to the flattery of knaves. Society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things, that men of intemperate minds cannot be free. Their passions forge their fetters.

This sentence the prevalent part of your countrymen execute on themselves. They possessed not long since, what was next to freedom, a mild paternal monarchy. They despised it for its weakness. They were offered a well-poised, free constitution. It did not suit their taste nor their temper. They carved for themselves; they flew out, murdered, robbed, and rebelled. They have succeeded, and put over their country an insolent tyranny made up of cruel and inexorable masters, and that too of a description hitherto not known in the world. The powers and policies by which they have succeeded are not those of great statesmen, or great military commanders, but the practices of incendiaries, assassins, housebreakers, robbers, spreaders of false news, forgers of false orders from authority, and other delinquencies, of which ordinary justice takes cognizance. Accordingly the

spirit of their rule is exactly correspondent to the means by which they obtained it. They act more in the manner of thieves who have got possession of a house, than of conquerors who have subdued a nation.

Opposed to these in appearance, but in appearance only, is another band, who call themselves the *moderate*. These, if I conceive rightly of their conduct, are a set of men who approve heartily of the whole new constitution, but wish to lay heavily on the most atrocious of those crimes, by which this fine constitution of theirs has been obtained. They are a sort of people who affect to proceed as if they thought that men may deceive without fraud, rob without injustice, and overturn everything without violence. They are men who would usurp the government of their country with decency and moderation. In fact, they are nothing more or better, than men engaged in desperate designs, with feeble minds. They are not honest; they are only ineffectual and unsystematic in their iniquity. They are persons who want not the dispositions, but the energy and vigour, that is necessary for great evil machinations. They find that in such designs they fall at best into a secondary rank, and others take the place and lead in usurpation, which they are not qualified to obtain or to hold. They envy to their companions the natural fruit of their crimes; they join to run them down with the hue and cry of mankind, which pursues their common offences; and then hope to mount into their places on the credit of the sobriety with which they show themselves disposed to carry on what may seem most plausible in the mischievous projects they pursue in common. But these men are naturally despised by those who have heads to know, and hearts that are able to go through, the necessary demands of bold wicked enterprises. They are naturally classed below the latter description, and will only be used by them as inferior instruments. They will be only the Fairfaxes of your Cromwells. If they mean honestly, why do they not strengthen the arms of honest men, to support their ancient, legal, wise, and free government, given to them in the spring of 1788, against the inventions of craft, and the theories of ignorance and folly? If they do not, they must continue the scorn of both parties; some-

times the tool, sometimes the encumbrance, of that, whose views they approve, whose conduct they decry. These people are only made to be the sport of tyrants. They never can obtain or communicate freedom.

You ask me too, whether we have a committee of research. No, Sir,—God forbid! It is the necessary instrument of tyranny and usurpation; and therefore I do not wonder that it has had an early establishment under your present lords. We do not want it.

Excuse my length. I have been somewhat occupied since I was honoured with your letter; and I should not have been able to answer it at all, but for the holidays, which have given me means of enjoying the leisure of the country. I am called to duties which I am neither able nor willing to evade. I must soon return to my old conflict with the corruptions and oppressions which have prevailed in our eastern dominions. I must turn myself wholly from those of France.

In England we *cannot* work so hard as Frenchmen. Frequent relaxation is necessary to us. You are naturally more intense in your application. I did not know this part of your national character, until I went into France in 1773. At present, this your disposition to labour is rather increased than lessened. In your Assembly you do not allow yourselves a recess even on Sundays. We have two days in the week, besides the festivals; and besides five or six months of the summer and autumn. This continued, unremitted effort of the members of your Assembly, I take to be one among the causes of the mischief they have done. They who always labour can have no true judgment. You never give yourselves time to cool. You can never survey, from its proper point of sight, the work you have finished, before you decree its final execution. You can never plan the future by the past. You never go into the country, soberly and dispassionately to observe the effect of your measures on their objects. You cannot feel distinctly how far the people are rendered better and improved, or more miserable and depraved, by what you have done. You cannot see with your own eyes the sufferings and afflictions you cause. You know them but at a distance, on the statements of those who always flatter the reigning power, and who,

amidst their representations of the grievances, inflame your minds against those who are oppressed. These are amongst the effects of unremitted labour, when men exhaust their attention, burn out their candles, and are left in the dark.—*Malo meorum negligentiam, quam istorum obscuram diligentiam.*

I have the honour, &c.

(Signed) EDMUND BURKE.

Beaconsfield, January 19th, 1791.

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